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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Combined initial, second, third, fourth and fifth periodic reports of States parties

Lao People's Democratic Republic*

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Report

on the Implementation of

the Convention on the Elimination of All Forms of

Discrimination against Women

Combined initial, second, third, fourth and fifth report

Lao People's Democratic Republic

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PART I

INTRODUCTION

The Land and the People

The Lao People's Democratic Republic (Lao PDR), situated in the Indochinese peninsula, is bordered by China, Vietnam, Cambodia, Thailand and Myanmar, all economically developed countries. The Lao PDR is a landlocked country. The Mekong River flows through the country from North to South. Laos is still an underdeveloped country with its population living in poverty. There is an important gap in the living conditions between the cities and the rural areas and between the plains and the mountains. The Lao PDR's population is 5.2 million; 76 percent of the population live in the plains, 22 percent live in urban areas. Vientiane, the capital city, has 528,109 inhabitants. Demographic density is 19.3 per square kilometer. The country is very sparsely populated.

Life expectancy at birth is 61 years for women and 57 years for men. Infant mortality rate is 82 per 1000 live births and 170 per 1000 live births between the ages 1-5. Maternal mortality rate is 530/100.000 and the fertility rate is 4.9 (Census, 2000).

According to the 1995 Census, the overall level of adult literacy was 60 percent for the population aged 15. The literacy rate was much higher for men than for women, 74 and 48 percent respectively. The literacy rate was much higher in urban areas (85%) than in rural areas (55%).

Around 65 percent of the population are Buddhist and 33 percent Animist. One percent of the population are Christians. (Census, 1995)

Census (1995) recognizes 48 different ethnic groups, which are divided into four bigger sub-groups. Out of the surveyed population, 53 percent were ethnic Lao (main Lao), 11 percent Khmu, 10 percent Phutai, seven percent Hmong, 2.88 percent Lue, 2.03 percent Katang, 1.97 percent Mahkong and 1.64 percent Akha. More than 40 other ethnic groups collectively make up the rest of the population.

The official language of the country is Lao but almost all the ethnic groups have their own language although not always in a written form.

Starting from household economy, industry and services have just emerged. The production forces are developing slowly. The majority of peasants still use backward utensils. The output is low and just enough for family consumption. Production of goods for the market is still limited. The number of workers is still low and their professional knowledge and skills are limited. The level of knowledge of the general population is low.

The Lao Government launched the New Economic Mechanism in 1986 to bring about rapid economic reform and to shift from a centrally planned economy to an open-market oriented system. The economic reform package included measures to correct macro-economic imbalances, abolish price controls, and liberalize trade by removing most restrictions on imports, reducing import duties, and abolishing or substantially lowering export taxes.

At the same time, a market determined exchange rate system was established, a two-tier banking system was introduced and reforms of the tax system were initiated. Public administration and state-owned enterprises were restructured and government expenditure was rationalized. Laws were modified to encourage private business, banking, insurance, trade and foreign investments.

Despite these reforms, the Lao PDR is still included in the least developed country category but the Government has set a target to reach out of this category by the year 2020. Gross national product for the year 1997 was

US$ 1.9 billion and GNP per capita was US$ 400. GDP growth averaged 7 percent between 1992-1997 but fell to 5.2 percent in 1998-9 mainly due to the Asian economic crisis. Agriculture accounts for 52.1%, Industry 21.4%, manufacturing 16.4% and services 26.5% of GDP (IDA, 1999). Unemployment rate is 2.4% according to the 1995 Census.

Inflationary pressure on the national currency kip is very high. From the last quarter of 1997 until the third quarter of 1999, the exchange rate of the national currency kip had changed from 1,793 k/US$ 1 to 8,909 k/US$ 1. Due to Government actions, the currency was stabilized to 7,500 k /US$ 1 during the last quarter of 1999 and has stayed on that rate during the first quarter of 2000. External outstanding and disbursed debt accounted for US$ 2,390 million in 1997. (IDA, 1999)

General Political Structure

The Lao PDR has been led by the Lao People's Revolutionary Party (LPRP) under a one-party system. The Party has a leading structure from the central to the local level. Governing and managing of the country is carried under the constitution and laws.

The mass organizations function under the direction of the Party and include the Lao Front for National Construction, the Lao People's Revolutionary Youth Union, the Lao Women's Union, and the Lao Federation of Trade Unions. They operate as the uniting body for people of all ethnic groups, social strata and religions, on the basis of the alliance among workers, peasants, intellectuals and patriotic people, under the Party's leadership, strengthening national unity, rallying the strength of the masses to safeguard and build the nation. The Lao People's Revolutionary Youth Union educates and trains youth and the young pioneers to be loyal to the fatherland and be the successors of the Party's cause. The Lao Women's Union upgrades the knowledge and skills of women in all fields and promotes the role of women is society and enforce equality between women and men. At the same time, it must actively play its role in protecting the interests of mother and child. The Lao Federation of Trade Unions educates workers them to be good citizens. It has discipline and protects the rights and interests of the working people.

Prior to 1992, the Supreme People's Assembly existed at the national level and People's Assemblies at province and district levels. The Supreme People's Assembly was replaced by the National Assembly, which was elected at the end of 1992 for the first time and assigned with formulating laws and approving budgets. The National Assembly, Fourth Legislature, consists of 99 seats of which women hold 21. National Assembly elections take place every five years.

The first Constitution, adopted in 1991, granted the Government of the Lao PDR rights to manage the execution of the state duties in all fields: political, economic, cultural, social, national defense and security, and foreign affairs. As far as making laws is concerned, the Government submits draft laws to the National Assembly, as well as draft decrees and draft acts to the President of the Republic.

Provinces and municipalities have governors and mayors respectively. Districts have district chiefs and village level headmen. Governors and mayors have deputy governors and deputy mayors respectively. Each level has the duty to implement the Constitution and the laws and to organize the strict implementation of decisions and orders issued by higher levels.

At present, the Lao PDR has about 44 laws and hundreds of decrees and regulations. In conclusion, the whole legal framework of the Lao PDR is relatively new when compared with other countries. The number of legal personnel is limited and there is a dire need for trained legal personnel and training for existing legal personnel.

The organizations and persons that have the right to propose draft laws are as follows: the President of the Republic, the National Assembly Standing Committee, the Government, the People's Supreme Court, the Public Prosecutor-General and the mass organizations at the central level.

There are four main steps in the law drafting process:

1. A bill is initiated by the line ministry.
2. The bill is submitted to the Ministry of Justice for legal review (Law Commission).
3. The bill is submitted to the legal department of the Prime Minster's Office for review by the Office itself and other Government representatives and signing by the Prime Minister.
4. The bill is sent to the National Assembly where the Legislative Drafting Committee of the Standing Committee, which provides a legal opinion and suggests modifications, reviews it. In case modifications are needed, the bill is sent to the Ministry of Justice.
5. The bill is sent to the National Assembly's session for approval.

Public participation in the Lao legislative drafting process is a principle aspired to and held to be of great importance to the Government of the Lao PDR. This procedure is being standardized and systematically generalized.

The implementation of international treaties

The Party and Government of the Lao PDR have committed themselves to participate in and ratify international treaties. They have actively implemented those treaties to promote the progress and to protect the rights and interests of the multi-ethnic Lao women, accordingly with the special features and realities of the Lao PDR. However, due to lack of experience and human resources, the bulk of international treaty obligations has not been transformed into sustainable and effective national legislative and administrative activities.

General legal framework within which human rights are protected

Information and education

To commemorate the 50th Anniversary of the Declaration of Human Rights, the Government of the Lao PDR translated some of the major human rights treaties into Lao language and distributed copies of these translations amongst key government officials and to the general public through the public libraries. Also to commemorate the 50th Anniversary of the Declaration of Human Rights, the Government authorized a stamp competition around the country. Over 400 drawings were entered into the competition and the drawings that were thought best to convey the message of universal human rights were used for stamps. Best drawings were also made into posters and the poster exhibition is circulating around the country and displayed at post offices to raise the awareness of the general public on human rights.

A seminar on International Conventions and Treaties was organized for key ministers, vice-ministers, and Government officials in July 1999. Multilateral human rights treaties formed part of the seminar agenda.

PART II

ARTICLE 1 Definition of Discrimination Against Women

For the purposes of the Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment and exercise by women, irrespective of their marital status, on a

basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

In the Lao PDR, there are no acts that specifically define discrimination against women. However, since the country is a signatory party to the Convention, the country accepts its legal commitment to end any form of discrimination against women owing to gender.

The following articles of the Constitution make a reference to the above interpretation of the discrimination:

Article 6. "*The state protects the inviolable rights and democratic freedoms of the people. All state organizations and functionaries must inform the people of and educate them in policies, regulations and laws, and together with the people, implement them in order to guarantee the legitimate rights and interests of the people. All acts of harassment that can be detrimental to the honour, body, lives, conscience and property of the people are prohibited.*"

Article 8. "*The state pursues the policy of unity and equality among all ethnic groups. All ethnic groups have the right to protect, preserve and promote their fine customs and culture as well as those of the nation. All acts of division and discrimination among ethnic groups are prohibited.*"

Article 22. "*Lao citizens, irrespective of their sex, social status, education, faith and ethnic group are all equal before the law.*"

Article 24. "*Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs.*"

ARTICLE 2 Obligations to Eliminate Discrimination

States parties condemn discrimination against women in all its forms, agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

(a) *To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means the practical realization of this principle;*

(b) *To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*

(c) *To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*

(d) *To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*

(e) *To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*

(f) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

(g) *To repeal all national penal provisions which constitute discrimination against women.*

The 1991 Constitution stipulates in article 22 that "*Lao citizens, irrespective of their sex, social status, education, faith and ethnic group are all equal before the law*" and in article 24 "*Lao citizens of both sexes enjoy equal*

rights in political, economic, cultural, social and family affairs". "*Equal before the law*" means equality in enjoying rights and fulfilling obligations in all political, civil, economic, social and cultural fields as determined by the law. The principle of equality between men and women has been embodied in the legal documents and regulations.

Integrated measures to ensure the realization of the principle of equality between men and women have been taken to some extent through judicial activities by the State agencies but mainly by the Lao Women's Union, the mass organization safeguarding the rights of Lao women. Worth noting is that the law acknowledges the participation of Lao women in all aspects of the society on an equal basis with men, which means that they have the right to directly work in the state agencies. Article 6 of the Constitution also states that "*The State protects the inviolable rights and democratic freedoms of its people.*" And "*All acts of harassment that can be detrimental to the honour, body, lives, conscience and property of the people are prohibited.*"

The drafting system for the Constitution and laws of the Lao PDR is the result of the contribution of opinion by the people throughout the country. This reflects the far reaching will and strong determination of the national community to strive to succeed in making Laos a country of peace, independence, democracy, unity and prosperity.

The whole legal framework of the Lao PDR is relatively new when compared with other countries. Because of its newness, the people's awareness of the law is still limited and width and depth. The institution has its limitations in many aspects. The Ministry of Justice is starting a programme to improve the capabilities of the judiciary system of the country and one component of the programme is to include gender training for the curriculum of the law students. Gender training will also be given for the crime investigators and judges working in the Supreme Court. Big part of the programme consists of awareness raising activities at the grass-root levels targeted especially at women and at ethnic minorities to inform them on the rights guaranteed for them by the Lao laws.

According to the Lao Constitution (Article 46) *"The organizations and persons that have the right to propose draft laws are as follows":*

1. *The President of the Republic*
2. *The National Assembly Standing Committee*
3. *The Government*
4. *The People's Supreme Court*
5. *The Public Prosecutor General*
6. *The Mass Organizations at the Central Level*

National Machinery for Promoting Women's Progress — the Lao Women's Union

The Lao Women's Union has been entrusted specifically with the tasks of upgrading the role and status of women and actively involving them in the national safeguard and development process. Article 7 in the Constitution states that "*The Lao Front for National Construction, the Lao Federation of Trade Unions, the Lao People's Revolutionary Youth Union, the Lao Women's Union and other social organizations are the organs that unite and mobilize all the strata of all ethnic groups in order to take part in the task of national safeguard and development; to develop the right to mastery of the people and to protect the legitimate rights and interests of their members*". The Lao Women's Union was established in 1955 and has organizational structure from central to grass-roots levels. The LWU has approximately 800,000 members. It is the representative of the legitimate rights of women and children of all ethnic groups. It is the rallying point for the unity of Lao women of all strata. It is the organ that educates women of all ethnic groups in the Party's policy and the State's laws. The women are the ones who safeguard and develop the fine tradition and culture of the nation, with the aim of ensuring that the equality between women and men, as provided in the Constitution and laws be effectively implemented.

The Party and Government of the Lao PDR have recognized the urgent need for study of the strengths and constraints in the development of the Lao women, in order to make detailed plans that will facilitate the advancement of Lao women as sated in the development plan for the Lao Women for the years 1998-2003.

Some obstacle to women's progress

One of the pressing issues on the way for abolishing discrimination against women has been the lack of sex dissaggregated data on the socio-economic situation of the country. Without having a reliable picture of the situation of men and women in the country it has been somewhat troublesome for the Lao Women's Union to pursue the goal of the advancement of Lao women. To change this, the Lao Women's Union, with the assistance of the National Statistics Centre, asked the Prime Minister's Office to issue a Notification to integrate the sex disaggregated data and gender statistics into the general system of the national statistics. Such Notification number 0009 PMO was issued on December 12, 1999.

Land titling process that has been implemented throughout the 1990s has some worrying aspects from the viewpoint of Lao women. The land titling process involves adjudication of land titles, which are permanent documents certifying the legal ownership of land by the owner (the person whose name is in the document). In the survey on the Situation of Women carried out in the four locations of the country by the Lao Women's Union Gender Resource Information and Development Centre (1998) results show the difference between the numbers concerning the origin of the land and the name of the owner of the land which is declared on the land document.

The results clearly show that aside from the common property attained during marriage, the percentage of land that women receive from their families is greater than the percentage of land that men receive. This finding corresponds with the reality of Lao society, in which daughters make up a majority of those who inherit from their parents. In connection with this, in the majority of Lao society, the husband moves in with the wife's family after marriage, since it is the daughter who will look after the parents throughout their lives, and will also inherit the land and house of her parents. This matrilineal tradition is a special tradition of Lao society, which acknowledges the value of caring for the mother and father until their death and of carrying out the appropriate funeral rites after their death.

Origin of the Land			Name on the Land Document		
	#	%		#	%
Husband's Family	798	18%	Husband's Name	2470	58%
Wife's Family	1254	30%	Wife's Name	696	16%
Common property	2203	52%	Both Names	279	7%

However, as a consequence of the land titling process, this matrilineal inheritance pattern is slowly changing. In comparing the origin of the land with the registration of permanent land rights in 58% of the cases only the husband's name appears in the land document, even though originally only 18% of the land belongs to them. As for the women's land, only 16% is registered in her name, although women originally own 30% of the land. This means only 52% of the registration of the land right of women is correct. It seems clear that the remaining 48% of the land has fallen under the name of the husband. As for the land which is originally common property, 52% of the land, the percentage showing both the husband's and wife's name is extremely small, only 7 percent. This means that only 13 percent of this land is correctly registered. This also means that 87 percent, the reminder of this land is registered in the husband's name alone.

Alarmed by these results, the Lao Women's Union has organized seminars on Lao law around the country for the representatives of the Lao Women's Union. One of the topics touched upon has been the land allocation process and the rights of the Lao women in this process. The Property Law specifically stipulates that "*Property that is acquired before marriage, received through inheritance, or granted specifically to a particular spouse is not considered common property*". The Lao Women's Union has also raised concerns with the authorities responsible

for the land allocation process and measures to combat the worrying trend from the view point of discrimination against Lao women are currently considered by these authorities, including awareness raising amongst the district level land titling officers on gender sensitive procedures.

ARTICLE 3 The Development and Advancement of Women

> *States parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.*

The 1991 Constitution provides for a system of fundamental rights of citizens in all fields of public life and stipulates in Article 24 that "*Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs.*" Based on the 1991 Constitution, the Lao Government promulgated other legislations to provide detailed provisions on the content and modes of exercising citizen's rights.

Women's political rights give legal insurance for women to directly participate in policy and law making or to decide on matters relating to the rights, interests and advancement of women. Article 23 of the Constitution states that "*Lao citizens 18 years of age and over have the right to vote, and those 21 years of age and over have the right to be elected, except for insane persons and persons whose rights to vote and to be elected have been revoked by the court*".

In the Decree of the President of the Lao PDR on the Electoral Law for the National Assembly promulgated in 1997, Section II, Determination of Number of the National Assembly Members and Principles on Candidates for the Election, Article 7 states that "*National Assembly member shall include appropriate proportion of the representatives of people of different strata, sex and ethnic minorities.*" In the Electoral Law of the National Assembly of the Lao People's Democratic Republic (1991), in the General Principles, Article 8 states that: "*The Lao Front for National Construction and other mass organizations (also the Lao Women's Union) are responsible for nominating and certifying the list of nominees for the National Assembly, and collaborating with the election committees and the organizations at different levels of the Party and the Government*". This guarantees the right for the Lao Women's Union to place women candidates to the National Assembly election.

In the draft Law on Public Administration, Chapter 6, Section 2, Village Authorities, Article 71 states that: "*The members of the village council are elected among the village population by direct universal suffrage.*" And Article 74 states: "*To be elected as a member of the village council, candidates must fulfill the following conditions: having Lao nationality from birth, without differentiation of gender or ethnic group...*" thus enabling women to stand as candidates and to be elected in the local level elections.

Women's rights in economic, civil and labour fields provide a fundamental legal basis for women to gain an independent role in public and private aspects of life. *Fundamental civil rights* such as the right to possess and the right to inherit are recognized by the 1991 Constitution in Article 15 and embodied in the 1990 Property Law in Articles 20 and especially in Article 26 which states that "*Husband and wife have equal rights over conjugal property notwithstanding who actually acquired the asset. Assets belonging to the husband or wife prior to their marriage or received through inheritance or granted specifically to the husband or the wife during their married life will not be considered as conjugal property*". Article 6 in the Inheritance law (1990) does not make any difference between the right of a girl or a boy child to inherit but specifically stipulates that "*relative of horizontal lineage: older and younger brothers, sisters, or paternal uncles and aunts, maternal uncles and aunts or nephews and nieces*" have a right to inherit if the owner of the heritage has no child or spouse. Women's right to make contracts was recognized in the Contract Law (1990) in Article 7 and women's right to take loans was recognized

in the same law in Article 47. *The right to employment* is recognized in the 1991 Constitution in Article 26, which states that "*Lao citizens have the right to work and engage in occupations, which are not forbidden by law.*" The Labour Law (1994) was drafted on a basis of ensuring equality between men and women vis-à-vis employment (Article 2), salary (Article 39), social insurance (Article 47, 54) as well as application of preferential measures to protect female workers (Article 33), mothers (Article 17, 34) and children (Article 37).

The right to study, conduct scientific research, and participate in cultural and scientific research provides legal backing for women to have access to education, training, science and technology. This is guaranteed by the Constitution in Article 25: "*Lao citizens have the right to education.*" And in Article 32 "*Lao citizens have the freedom to conduct research; to apply advanced sciences, techniques and technologies; to create artistic and literary works and to engage in cultural activities which are not contrary to law.*"

Policy Measures Taken:

In order to translate the laws into action for the benefit of the Lao women, the Sixth Congress of the Lao People's Revolutionary Party (1996) made a note that women and ethnic minorities will need to be specifically addressed in the measures taken to develop human resources of the country. The Sixth Party Congress also asked specific measures to be taken as far as women are concerned in order to bring equitable rural development to the countryside in the Lao PDR.

The Lao People's Democratic Republic Socio-Economic Development Strategy 1996-2000 states that the country's sustainable human development "*targets the disadvantaged groups with employment creation through appropriate training and skills development, and the advancement of women as multipliers of education to their families*". The plan further states that the Government will adopt "Education for All by the Year 2000" strategy recognizing the prevailing gender gap at all school levels and introducing measures to address this gap. The plan also states that specific measures are introduced to increase the status of women, their income generating programmes and opportunities, and reduce their labour burden.

In budgetary terms measures to benefit women's advancement are taken in the Socio-Economic Development and Investment Requirement Plan from the Sixth Round Table Meeting (1997). The plan states, that one of the Government's goals for the years 1996-2000 is "*to devote, in compliance with our commitment to the 20/20 policy, at least 20 percent of the public expenditure (investment and recurrent costs) to the social sectors, making education, health and social welfare our new beacon sectors*".

The Development Plan for Lao Women 1998 -2003 states "*...most Lao women, especially those living in the rural and remote areas, are still living a difficult life. Women in urban areas, although having more access to basic education and health care, are still disadvantaged when compared to men*". It further states that "*Attitudes, conservative ideas, and backward traditions still obstruct women's advancement*" and "*Implementation of equal rights between women and men as well as the elimination of all forms of discrimination against women have not become widely known in society*" and "*Women's educational level is still low, the illiteracy rate among women is still high; net enrolment is low; school drop-out rates remain high for women and girls in rural and remote areas*" and finally "*Budget and resources for women's development cannot meet the required needs*".

The plan states the following development strategies and target goals for the Lao women for the period 1998-2003:

- concentrate on women's education, technical, scientific and professional skills;
- by the year 2003 more women aged 15-45 should be able to read and write, and more of them should have the opportunity to study in technical secondary schools, technical high schools and universities;
- protect the rights and benefits of Lao women and children of various ethnic groups, support the implementation of equal rights between women and men as stipulated in the Constitution and laws and

also put gender issues on the agenda of every government sector development plan. This is done to enable women to participate in policy and decision making.

Practical measures taken to ensure full development and advancement of women:

Gender and development projects have been receiving donor support since the late 1980s. Support increased in the 1990s as the role of gender in development has been emphasized by the Lao Government. In the past several years, multilateral and bilateral donors as well as international NGOs have been active in gender projects.

The bilateral donors have assisted the Lao Government in the following fields:

Various training activities, particularly on gender awareness and information dissemination on the legal rights and responsibilities of women in accordance with the Constitution and laws of the Lao PDR have taken place around the country.

Lao Women's Union Gender Resource Information and Development Centres (GRID) were established in 1997 to increase the amount of information available on gender issues in the Lao PDR, to mainstream gender into information collection and development planning at all levels, and to support the empowerment of women from all ethnic groups. The centres, located in four sites, carry out four interrelated activities; gender training, quantitative and qualitative research into gender issues, communications activities, and information collection and dissemination.

Both micro-finance and small-scale enterprise development activities for women are taking place around the country.

The Multilateral Agencies have assisted the Government in the following fields:

UNFPA has supported a project on birth spacing; UNICEF has promoted community-based integrated rural development through the Lao Women's Union in eight provinces. UNIFEM has supported the central Lao Women's Union in women's empowerment, especially in management training and in preparing it's strategy for 1998-2003. UNDP has supported the development of a Lao Women's Union enterprise, Lao Cotton and has also supported the Lao Women's Union in HIV/AIDS prevention activities. Other UNDP projects are currently mainstreaming gender and development issues into each project. UNCDF is supporting a micro-finance project to develop small-scale enterprises for both women and men in two rural provinces. The Asian Development Bank is working with the Lao Government on a project to enable girl children to attend school in growing numbers.

NGOs have played a significant role in especially community development, in participatory rural development training, in capacity building and in HIV/AIDS prevention activities for Lao women.

ARTICLE 4 Acceleration of Equality between Men and Women

Adoption by State Parties of temporary measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail, as a consequence, the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Adoption by State Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity, shall not be considered discriminatory.

Equal Political Participation:

In terms of achieving *de facto* equality in political participation at the national level, the President of the Lao PDR issued a decree on the Electoral Law for the National Assembly (1997), which states in Article 7 that "*National Assembly members shall include appropriate proportion of the representatives of the people of different strata, sex, and ethnic minorities.*"

In the National Assembly, Third Legislature (1997), out of the 85 members, there were only eight women, representing only 9 percent of the legislators. The enforcement of the President's decree increased the number of women in the next legislature from 9 percent to 21 percent.

Equal Employment Opportunities:

The Lao PDR has adopted a Labour law addressing gender equal employment opportunities and interests.

ARTICLE 5 Sex Roles and Stereotyping

State Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure the family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, in being understood that the interest of the children is the primordial consideration in all cases.

Summary of cultural practices that hamper women's advancement in the society:

Every society creates perceptions, expectations and norms for women and men that are inequitable. However the basic norms and pattern in Lao society can be summarized as follows:

- Men must be strong, must lead the family, and must be the representative of the family in society; in addition, they are considered appropriate to be leaders in the society.
- Women must be gentle, self-effacing, good housewives, caretakers of the husband's children, and followers who stay in the background. In other words, a wife must defer to her husband in all things, and most particularly in matters of social status (GRID).

Role of religion:

Article 9 of the Constitution states "The State respects and protects the legal activities of Buddhists and followers of other religions, encourages monks and novices and priests of other religions to participate in all activities beneficial to the nation and people, forbids all acts of division among religions and among people.

Study of family issue:

The family is a cell of society. It has an important role for every member. According to traditions, different ethnic groups in the Lao PDR have different family structures. In the main Lao group, the mode of living is principally matrilineal and the youngest daughter normally inherits the land and the couple traditionally stays in the wife's

parent's household. It is often the youngest daughter who is expected to take care of the parents in their old age. Sons marry outside the family and live with their in-laws. The bride price practice is common within this group since according to recent LWU survey (1999) in 87 percent of marriages husband paid a bride price. The women in the main Lao group have a strong role in economic activities inside the family. Despite this and despite the support of the matrilineal structure, women in the Lao ethnic group have politically and socially subordinate position when compared to men. As a Lao proverb goes, "Having a son-in-law in your house will overfill your granary".

In the Lao Theung group, one can find mostly bilineal and, to some extent, patrilineal family structures. Amongst the Lao Theung group the bride price was received in 77 percent of marriages according to the recent LWU (1999) survey. In this group the family authority lies almost solely with the husband.

In the Hmong group the typical patrilineal structure can be found. The male children inherit the land and women go to live with their husbands. According to the Lao Women's Union survey (1999) amongst the Hmong group the bride price was received in 67 percent of the marriages. Women's status is more subordinate than in the main Lao and Lao Theung groups, as they don't have the support of their own kin groups.

Common to all ethnic groups is the traditional division of labour in the family since the responsibility for the work of caring for the family falls heavily on the women's side. Work such as preparing food, fetching water and firewood, cleaning the house, looking after the children, nursing the sick, making and washing clothes and all other daily work that is essential to the care and well-being of the family is done mainly by the women. In addition women are also important participants in the area of agricultural production and they also play an important role as cash income earners. In other words, most women in the Lao society carry a double workload: household work and work in the economic sphere. According to surveys of daily time use, Lao women spend less time than men sleeping, playing sports, resting and socializing with others outside of the family (LECS, 1997).

The role of family members as childcare providers in rural Laos:

According to a study conducted by UNICEF (1994) fathers will start to become involved in child rearing when the child is about three to four months old. The father focuses more energy working outside the house and normally the mother stays home. Sometimes, the father helps in carrying the baby. In general, the mother will have to devote more time to take care of children than will the father. The father's role will increase when the children are older and they will do more disciplining of older children if they do not listen to their mothers. Involvement of fathers as care givers also increases if the grandparents are not living in the close distance. The father also makes decisions on issues related to illness, school attendance, work division within the family, and other major issues. Also grandparents have a major role in childcare. Usually the grandmother has this role and she will take care of several grandchildren at once.

In the rural areas of the country, at seven or eight years of age, the girl children of the family will start taking care of younger siblings. Boys seldom are given this role, usually only when there are no female children in the family. Girls usually returning home from school take care of their younger siblings and do some household chores. Boys tend to play and hunt for birds and other animals. When the girl children reach the age of 12 they are often given complete responsibility of their younger siblings.

Parents attitudes towards the sex of their children:

According to the UNICEF (1994) study parents in all three ethnic groups report that they love all their children equally regardless of sex. However, in practice there are differences in how the parents care for, treat or give opportunities to children depending on gender. There are also major differences between the ethnic groups:

Hmong parents strongly prefer to have son over daughter, especially as a first child because it is believed that the first-born son can continue the family's ancestor spirits and lineage. The Hmong tradition of continuing the clan's name and inheritance and maintaining the ancestor's spirit occurs only through the son. If parents do not have any children or only have a daughter, they will try to adopt a boy from relatives or other couples.

In the Lao Theung group, there is also a tendency for parents to prefer sons to the daughters. The son normally receives more support and concern from his parents.

The Lao Loum do not have such strict preferences over the gender of their children.

Attitudes towards domestic violence and rape:

In research terms, the topics of domestic violence and rape were addressed nationally for the first time in a survey conducted by the Gender Resource Information and Development Centre (1998). The results show that 29 women out of the sample of 2,399 households had experienced sexual violence in the past 12 months. 22 of those reported incidents took place at home. According to the same survey, 15 women reported the incident: 2 women reported to police, 11 to village authorities and 2 to court.

At least amongst the young generation, the violent behaviour between spouses is perceived as fairly normal. According to a survey (Listening to the Voice of Young People, 1998) conducted amongst young people 53.4 percent of the young people agreed that "it is all right for a man to hit his wife if she makes some mistakes". Stereotyping starts early on since 63 percent of the girls agreed with this statement where as 'only' 45 of the boys agreed.

The Criminal Law (1992) does not specifically address domestic violence but states that exemption from penal liabilities might be granted (Article 22) "... *In cases of physical violence between close relatives without serious injuries or physical damages, libels, slanders, insults, outrages*...(unofficial translation).

Rape is a serious crime in the Lao PDR. The Criminal Law (1992) states:

"Any person who uses force, uses threatening weapons, drugs or other methods to put a woman who is not his wife in a helpless circumstance in order to rape her against her will shall be punished by imprisonment from three to five year".

In the case that the wrongdoer rapes a woman who is between 15 to 18 years of age or under the wrongdoer's custody or care he shall be punished by imprisonment from five to ten years.

In the case that the wrongdoer has forcibly raped the victim by taking turns (gang rape), forcibly raped a female under 15 years of age, or damaged the body of the female at the time of the rape, or if the victim will be disabled for the rest or her life or if the victim is killed he shall be punished by imprisonment from seven to 15 years.

In the case that the wrongdoer forcefully rapes and kills the female and abandons her, he shall be punished by imprisonment from 15 to 20 years, or for life, or receive capital punishment". (unofficial translation)

Article 120 of the Criminal Law (1992) states: "*Any person who engages in sexual relations with a male or female child under 15 years of age shall be punished by imprisonment from one to five years*". (unofficial translation)

In the mentioned study conducted by the Gender Resource Information and Development Centre (1998) out of the sample of 2,399 households 22 reported that female members had experienced some kind of physical violence

during the previous 12 months. Two households reported female members to have been raped. For comparison, District Courts prosecuted 64 rape cases during the year 1998 across the country (Ministry of Justice).

Male and female stereotypes in the school books and measures to combat sexually offensive films:

According to a survey conducted by the Ministry of Education (1999) on primary school books through grades 1-6 some gender biases can be observed in the textbooks. The pictures in the first grade book still, to certain extent, convey a message that some tasks like feeding the chicken or taking care of the younger siblings are for women only. Some pictures also convey a message that sports and other out-door activities are for boys only.

The Ministry of Education is alerted of this situation and will include pictures with more balanced views relating to the gender roles when the textbooks are being renewed.

The measures to deal with sexually offensive films and magazines are quite clear. Article 127 of the Criminal Law (1992) states: "*Any person who publishes or has books or pictures, videos or other things that are immoral or offensive to the culture and beauty of the nation shall be punished by imprisonment from three months to one year or fined from 5,000 to 50,000 kip.*"

Effects of traditional attitudes on women's lives and activities (GRID, 1999):

Lack of opportunities to go to school and to have education and knowledge — In general, Lao women have lower levels of education than men who come from the same age group, religion or social environment. The difference comes out even more clearly in rural areas and amongst the ethnic groups besides the Lao Loum.

Lack of opportunities to train their intellect and their communication ability — Throughout their life cycle, from the time they are small to adulthood, most Lao women are surrounded by limitations. As they grow up they rarely have opportunities to be active in society. They rarely have experience in speaking and expressing their opinions in public forums, which would give them a chance to develop their communications skills.

Lack of professional choices — At present, as the development of the nation is reaching a higher level and there is more work to do, yet, there are still many kinds of work that are considered "inappropriate for women" especially in technical areas. For example,

- Specialized areas like engineering or irrigation are considered heavy work by society, and therefore not suitable for women. Even where women have completed their studies, the management does not use women according to their technical ability.
- In agricultural work, which involves going to rural areas, travelling alone is considered impossible or difficult for women, despite the fact that there is a tremendous need for women in this field. Because so many women in the Lao PDR do agricultural work as farmers, female agricultural extension workers are needed in order to make contact and communications with women farmers easier.

Even though progress has been achieved in the urban areas of the country, general tradition, culture and social structures that neglect gender roles have created a situation where women are deprived of opportunities in many fields in the rural areas of the country. Women lag behind in education and face limited choices. These factors create perceptions and ideas of inferiority that run deep in society and in women themselves.

Measures to combat the stereotyping of men and women:

Even though a lot of progress has been achieved in terms of equality between men and women in the urban areas of the country, the Lao Women's Union and the Government of the Lao PDR have raised serious concerns related to the subordinate position of Lao women compared to Lao men especially in the rural areas of the country. One

goal stated in the Development Plan for the Lao Women 1998-2003 is to "make society aware of gender issues and implement the rights for equality between men and women".

In concrete terms, the following measures have been taken to increase the possibilities of the Lao women to enjoy their rights and to combat the stereotyping of men and women in the Lao society:

Gender Resource Development and Information Centres in four locations of the country are training both men and women to become gender trainers. These trainers will in turn conduct training on gender issues in different ministries and other institutions located around the country. This activity is still at the very beginning but will hopefully over time contribute to changing stereotypes of men and women amongst the Lao people working for the public sector.

The Lao Women's Union has recently started a project to improve its communications department. The aim of the project is to have an increased number of magazines, newspapers, radio and television programmes to upgrade the knowledge of the general public on the roles of women and men in the society and also to convey a message of strong Lao women to the general public.

The Lao Women's Union is currently implementing a project to improve its management capacity. Through leadership training the key people at the Lao Women's Union are expected to become better leaders and thus be better able to promote the advancement of women in the Lao society.

In collaboration with the Ministry of Justice, the Lao Women's Union is giving training in Lao law and providing legal consultation for women.

In collaboration with the Ministry of Education, the Lao Women's Union is promoting basic education for women and children. The objectives include encouraging parents to allow their daughters to attend school and to involve women, especially rural and ethnic minority women, in literacy campaigns.

ARTICLE 6 Suppression of the exploitation of women

> *States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.*

Trafficking in women and girls and exploitation of women for prostitution is a common concern worldwide. In the Lao PDR, since the official adoption of the New Economic Mechanism (NEM) in 1986, economic reforms have been pursued with speed. The essence of the NEM has been a shift towards market determination of prices and deregulation to create an open climate for trade and investment through economic liberalization. NEM has also included measures for opening up for the regional integration mainly through the ASEAN membership. All of these processes and the fact that the factory salaries are very low have also contributed to the increase of prostitution and other related social evils. The Lao People's Revolutionary Party, the Government and the Lao Women's Union are alarmed by this situation and have issued policies and measures to combat the situation.

Prostitution

Prostitution in the Lao PDR is illegal. Article 122 of the Criminal Law (1992) states "*Anyone who makes their livelihood by engaging in commerce for having sexual relations with another person will be punished by imprisonment from three months to one year or be reeducated without imprisonment. Anyone who assists in or facilitates an individual to engage in prostitution will be punishable by imprisonment from three months to one year or by correctional penalties without restriction of liberties.*" (unofficial translation)

According to the Criminal law (1992) Article 123 *"Anyone who obtains income through procuring another person in activities of prostitution will be punished by imprisonment from six months to three years. In the case of prostituting anyone who is below 18 years old or forcing any girl under 18 to work as a prostitute against her will be punished by imprisonment three to six years.*

In case someone is engaged in professional mediating of sexual commerce or procures a minor for the purpose of engaging in prostitution or forces a women under his/her care to be a prostitute that person will be punished by imprisonment from three to five years." (unofficial translation)

Factors contributing to the increase of prostitution include the salaries in the factories that do not provide sufficient basis to meet the normal standard of living. The girls and young women often have a family obligation to send money home to their parents and financial pressure forces many of the girls to earn extra money by working at restaurants, night-clubs and hotels as alcohol servers where they are vulnerable for being sexually exploited by their male customers.

As described above, the Lao laws are quite strict on prostitution especially when it comes to third person's selling women's sexual services. Unfortunately the practice of selling sex makes it very difficult for the authorities to enforce these laws since it is difficult for the police to obtain evidence that prostitution is taking place if the girl or the young woman and the client negotiate their own agreement to have sex. The actual act seldom takes place at the bar, which makes it even more difficult for the authorities to interfere.

There is not much research concerning the general attitudes towards the prostitutes. However according to a recent survey (Listening to the Voice of Young People, 1998) conducted amongst the young people show that 17,8 percent of the young people thought that prostitution is a big problem in the Lao society. They also saw quite clearly that the poor circumstances contributed for young girls and women to become prostitutes and felt that the girls and women cannot be blamed for this development.

At the moment, there are not many services or treatment programmes available to prostitutes or young girls being at risk of being exploited. The Government and the Lao Women's Union have been alerted by this situation and the Lao Women's Union Development Plan 1998-2003 states that a project to provide alternative sources of income and vocational training for the prostitutes and potential prostitutes will constitute an integral part of the Lao Women's Union activities for the given time period. This project will also aim at collecting more information on women and children in the difficult circumstances. Individual schools and hospitals have also expressed their interest to obtain more information as how to deal with young people in difficult circumstances.

Trafficking in women and children:

The Lao laws are strict on trafficking in women and children. Article 92 of the Criminal Law (1992) states that "Any person who abducts or trafficks an individual for the purposes of ransom or trade will be punished by imprisonment from five to fifteen years." (unofficial translation)

Article 69 of the Criminal Law (1992) further states: "Any person who lures a person into going to another country, or sends people illegally to another country will face imprisonment from six months to three years." (unofficial translation)

Much the same reasons that drive women and girls to become involved in prostitution drive them for being trafficked. After the rainy season, which is the cultivation season in the Lao PDR, young people tend to seek employment in Thailand for four to six months a year since there are not many seasonal employment opportunities for rural people in the Lao PDR.

At this point of time, there are no reliable estimates of the number of trafficked women or girls in the Lao PDR. Lao Government official survey carried out in 1995 states that 15,000 youth in one of the southern provinces of the country, Savannakhet, alone sought seasonal work in Thailand. There are eight Lao provinces which border Thailand and all are being known to be areas in which large numbers have gone to Thailand to work. At this point little is known about the terms on which they agree to go or the extent of coercion and exploitation involved once they arrive in Thailand.

According to one study (Listening to the Voices of the Young People, 1998) 50 percent of the young people said that they had been offered jobs in Thailand or that someone had tried to persuade them to go there for work. The reasons why most of the young people chose not to go varied. Most people said that their parents had stopped them from going. The girls in particular said that Thailand was a dangerous place and that they were afraid:

> "They will sell us into prostitution and then the police will catch us and we'll go prison and we are afraid that someone will rape us."

The same study goes on to say that the fear of being deceived in terms of work and salary also stopped some of the young people from going to Thailand as some had known friends who had been promised good jobs only to find that things were not as promised once they arrived there.

However, many of the young people expressed interest in going to work in Thailand or had actually been and enjoyed it. A sense of adventure draws many young people to Thailand and money is also a great pull as salaries are higher in Thailand even though, according to the survey, many young people recognized that they might be cheated over them.

The Ministry of Labour and Social Welfare is very concerned over this situation and is participating in the sub-regional Trafficking in Women and Children in the Mekong Sub-Region project. The aim of this project is to collect information on reasons for girls and women being trafficked regionally and to come up with sub-regional measures to combat trafficking in women and children. In the Lao PDR, a database containing information on cross-border trafficking will be established as a first activity of the project. In the later stages of the project, an inter-ministerial working group including other sectors of society will come up with concrete recommendations as how to combat trafficking on women and children. Awareness raising activities on the issue at the community level will also be conducted as part of the project.

The Lao Women's Union is starting a project to promote job opportunities for women and girls being at risk of being exploited by trafficking. One aim of the project is to provide vocational training for the group at risk.

ARTICLE 7 Political and public life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) *to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*

(b) to participate in the formulation of government policy and in the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) to participate in non-governmental organizations and associations concerned with the public and political life of the country.

Article 23 of the Constitution (1991) states "Lao citizens 18 years of age and over have the right to vote, and those 21 years of age and over have the right to be elected, except for the insane persons and persons whose right to vote and to be elected have been revoked by the court."

Article 24 of the Constitution (1991) further states "Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs." Thus the Lao women have the right to participate in the political and public life of the country on equal terms with the men.

Women as members of the Political Party

Article 3 of the Constitution (1991) states "The right of the multi-ethnic people to be the masters of the country is exercised and ensured through the functioning of the political system, with the Lao People's Revolutionary Party as its leading nucleus". The Lao People's Revolutionary Party is the only political party in the Lao PDR.

The number of women in the leadership positions of the Party has been pretty stable since the early 1980's. The participation of women in the Party Congress and as members of the Central Committee of the Party has increased slightly from 7.3 percent in 1982 to 8,2 percent in 1996.

There are no female representatives at this point of time in the Politburo of the Lao People Revolutionary Party, the topmost decision making body of the Party.

National Assembly

As explained under the Article 4 of this report in the last elections of the National Assembly that took place in 1997 both the Lao People's Revolutionary Party and the Lao Women's Union were very keen on increasing the number of female members of the National Assembly. In legislation, the enhancement of women's participation was expressed through the Decree issued by the President of the Lao PDR on the Electoral Law of the National Assembly (1997), which states in Article 7 "National Assembly members shall include appropriate proportion of the representatives of the people of different strata, sex and ethnic minorities."

The number of women as members of the National Assembly stayed quite steady from 1975 until 1997. The increase of women's representation took a leap forward since the women's participation increased from 9,4 percent in the 3rd Legislature to 21,1 percent in the 4th Legislature (1997). Voting in the National Assembly elections is compulsory in the Lao PDR and 99% of the 2,300,000 eligible voters voted. Women candidates had a 78 percent success rate in being elected while men had a 58 percent success rate. Two women were elected amongst the National Assembly members as members of the Standing Committee of National Assembly. The tasks of the Standing Committee are to prepare for the National Assembly sessions and to ensure that the set programme for the National Assembly is being followed. One woman was also elected as vice-president of the National Assembly.

The members of the National Assembly have held two sessions during the last three years to raise awareness amongst the National Assembly members on key gender issues in the Lao PDR. One of the ideas formulated at the seminar was a women's caucus consisting of the 21 female members of the National Assembly. It was also agreed that all the members of the National Assembly should receive gender training.

Government of the Lao PDR

From the year 1994 to present, the number of women ministers has increased by one. A total of two female ministers are members of the 38-member cabinet of ministers. Out of the 79 vice-ministers 5 are women.

Local Administration

The provincial governor represents the Prime Minister and the Government in the province and is appointed by the President on the Prime Minister's proposal. The governor is the highest-ranking official in that level. Out of the 18 provincial governors one is a women. In each province there are also two deputy governors who are direct assistants of the governor. They are also appointed officials. No women have been appointed as deputy governors at this point of time.

The district chief represents the state in his or her territorial unit but he or she exercises his or her functions under the governor's directions. The district chief is responsible for the implementation of the Constitution, the laws and instructions issued by the highest authorities. The district chief is elected every two years. There are two female district chiefs out of 141.

The village chief exercises his or her duties under the supervision of the district chief. At the village level, the chief is responsible for ensuring the application of the laws, the regulations and the instructions issued by the higher authorities. The village chief is also the peacekeeper at the grass roots. He or she is the arbitrator in conflicts between the villagers. The village chief is thus an important element in the Lao legal system. There are 88 female village chiefs out of the total 8,505. The village chief has a deputy village chief to assist him or her in his or her tasks. Out of the 12,491 deputy village chiefs 236 are women.

The village committee assists the village chief and his/her deputies in their tasks on consultative basis. There is always a representative of the Lao Women's Union in the village council.

The Government of the Lao PDR has raised concerns related to the low levels of women's participation in the local level public administration. In the Tri-partite Review Meeting of the Public Administration Reform Project being implemented since 1997, the Government emphasized the importance of a policy to advance more women in the public administration. It was stated that gender issues should be included into the Civil Service Reform Action Plan but it was also stated that this might prove to be difficult to implement due to wider socio-economic and cultural issues. It was also stated that the Public Administration Reform should work closely with the Lao Women's Union to solve the problem. It was recommended that the first step regarding the advancement of women in the local level administration would be to conduct a survey throughout the civil service with regard to the training, skill levels, and participation and retention rates of women.

Trade Unions

Article 7 of the Constitution (1991) states "The Lao Front for National Construction, the Lao Federation of Trade Unions, the Lao People's Revolutionary Youth Union, the Lao Women's Union and other organs that unite and mobilize all strata of all ethnic groups in order to take part in the tasks of national safeguard and development; to develop the right to mastery of the people and to protect the legitimate rights and interests of their members." The Labour Law (1994) in Article 11 further states "A trade union should be established in all labour units in accordance with specific regulations of the sectors concerned. Where there is no trade union, workers' representatives shall be established."

The Lao Federation of Trade Unions performs four functions: to educate and train workers on knowledge on technical and cultural issues and also on laws and regulations; to encourage workers to take an active role in the economic, social and political construction of the country; to mobilize the workers to participate in the administration of the state and social affairs as well as in the management of the enterprises; to safeguard the rights and interests of workers in the Lao PDR.

The Lao Federation of Trade Unions has 71,594 members and 25,787 of them are women.

Factors preventing women from political participation

Though a lot has been achieved in terms of advancement of women in political participation at the national level there are still many factors preventing women from participating in politics at local levels. Some of the contributing factors can be traced back to Lao traditions and culture.

Throughout their life cycle, most Lao women are surrounded by limitations. As grown-ups, they rarely have opportunities to be active in society, for example, through participation in village meetings in order to express their opinions on various topics or to give information. Therefore, they rarely have experience in speaking and expressing their opinions in public forums, which would give them a chance to develop their communication skills. According to a recent report issued by the Gender Resource Information and Development Centre (1999) women often do not like to go to meetings because they do not know how to read are afraid they won't understand the topic, and don't want to speak. They rarely desire to be leaders in specialized areas such as politics or leaders in their community because being a leader means meeting high standard. They often think that they are not capable, because these positions require a broad range of knowledge and experience, courage to make decisions, and strength.

Tradition and culture have created an image of women as one who should be gentle, warm, beautiful, likeable and pleasing to all. If a woman is a leader there will unavoidably be occasions when she must displease someone, since she will be in charge of many people. Moreover, an acceptance of the social perception that leadership roles only fit with male personality characteristics leads most women to think that even if women have ability, women are still inferior to men, especially at the higher leadership levels (GRID, 1999).

Support services for women to enable them to participate in public life

The Lao Women's Union takes it's roots from the Lao Patriotic Women's Association (LPWA) founded in 1954 as a mass political mobilization arm of the Lao People's Revolutionary Party. During its 1984 national congress, the LPWA changed its name to Lao Women's Union, opened up it's ranks to non-Party members, restructured its centralized top-down organization into four-tiers (central, province, district and village), and decided to broaden it's scope beyond political mobilization of women. However, the political mobilization of Lao women is still one of the core activities of the Lao Women's Union at all levels of the society.

On the Lao Women's Union's recommendation, the number of female candidates to the latest National Assembly elections was increased and, consequently the number of female members of the current legislature of the National Assembly also increased. At present, the Lao Women's Union is implementing a gender training project for high-ranking members of the Lao People's Revolutionary Party to make them aware of gender roles and issues at all levels of society. To increase the self-esteem of the members of the Lao Women's Union at all levels, the LWU is implementing a project to train the members on their rights as citizens of the Lao PDR. These activities, together with the increased primary and secondary education especially targeted at the girl children, hopefully, will encourage women and girls to participate in the political life of the country in the future.

ARTICLE 8 International representation and participation

> *State Parties shall take all appropriate measures to ensure to women, on equal terms with men and, without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.*

Article 26 of the Constitution (1991) states; "Lao citizens have the right to work and engage in occupations which are not forbidden by law." Article 2 of the Labour Law (1994) further states that "The Government shall ensure that employers

and workers derive mutual benefits from their working relations without discrimination on the basis of race, colour, sex, religion, political opinion and social status. "Thus the Lao women have the right to represent the Government on an international level and to participate in the work of international organizations on equal terms with men.

Ministry of Foreign Affairs

The numbers of women working at the Ministry of Foreign Affairs has steadily increased since the beginning of the 1980's. At present, out of 405 officials at the Ministry of Foreign Affairs 84 are women. Four women are serving in the Director level posts. Out of 37 Ambassadors or Heads of Foreign Missions one is woman. She is serving as the Ambassador of the Lao People's Democratic Republic in the Philippines (Ministry of Foreign Affairs, 1999).

In the high level missions sent abroad to represent the country it is customary to have a representative of the Lao Women's Union included in the Mission. This has been the case for instance with the past four Donor Round-Table Meetings that have taken place in Geneva. For instance, in the last Round-Table Meeting that took place 1997 out of seven mission members one was a woman representing the Lao Women's Union in the negotiations. This same practice of including a Lao Women's Union representative as part of Government Missions applies to the UN conferences where the Lao People's Democratic Republic has sent a delegation. The Lao delegation that participated in the 4th World Conference on Women had a majority of female representatives.

Measures to increase women's employment at the Ministry of Foreign Affairs

As stated under Article 7, the Government of the Lao PDR has raised concerns related to the low levels of women's participation in the public administration. In the Tri-Partite Review Meeting of the Public Administration Project being implemented since 1997, the Government emphasized the importance of formulating a policy to advance more women in public administration and that it will be included into the Civil Service Reform Action Plan. This Action Plan will reach the Ministry of Foreign Affairs as well as other Ministries in the Lao PDR.

International Organizations present in the Lao PDR

There are currently 12 international organizations present in the Lao PDR. The following numbers of Lao employees are working for these organizations:

Out of 51 employees at the United Nations Development Programme 20 are women. At the United Nations Populations Fund and at the United Nations Volunteers, one employee out of three is a woman. The United Nations Children's Fund currently employs 15 women and 17 men and the World Food Programme employs one woman and one man. The United Nations International Drug Control Programme employs two women and three men. The Food and Agriculture Organization employs two women and six men. Out of the 14 employees at the United Nations High Commissioner for Refugees, three are women. The World Health Organization employs four women and six men. The International Monetary Fund and the World Bank Liaison Office in Vientiane both have one female employee.

The United Nations Organization encourages qualified female applicants to apply for all the vacant positions. The United Nations Organization is currently in a process of nationalizing the posts of its programmes and, in this process, especially qualified Lao female employees are given possibilities for promotion.

ARTICLE 9 Nationality

States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to the alien nor change of nationality of the wife, render her stateless or force upon her the nationality of her husband.

States Parties shall grant women equal rights with men with respect to nationality of their children.

The equality of men and women before the law (Constitution, Article 22) allows both to exercise the same rights and to assume the same obligations. The acquisition or retention of nationality is therefore governed by the same normative principles.

According to Article 1 in the Law on Lao Nationality (1991) "A Lao citizen is:

1. An individual bearing the Lao nationality or having legally acquired the Lao nationality before this law is enacted;
2. An individual bearing the Lao nationality or having acquired the Lao nationality in conformity to this law."

Law on Lao nationality establishes that the mother has the same right as the father to confer her nationality on her children, irrespective of whether she acquired it by birth or naturalization.

According to Article 8 of the Nationality Law, Lao nationality is acquired by birth, naturalization or on another basis mentioned in the same law.

The following shall be a Lao by birth (Articles 9 and 10 of the Law on Lao Nationality):

I Children born to parents both bearing Lao citizenship without taking into consideration whether these children are born inside or outside the territory of the Lao People's Democratic Republic.

II Those born within the territory of the Lao People's Democratic Republic.

III Those born outside the territory of the Lao People's Democratic Republic, but both parents or one of the parents having at the time of the birth a permanent address in the territory of the Lao People's Democratic Republic.

IV In case the children are born outside the territory of the Lao People's Democratic Republic and both parents have addresses outside the territory of the Lao People's Democratic Republic, the child's nationality will be decided by her parents.

According to the Articles 13 and 14 of the Law on Lao Nationality alien citizens may acquire the Lao nationality according to their request if they meet the following conditions:

1. Have eighteen years of age or more when requesting the Lao nationality;
2. Are able to speak, read and write in Lao;
3. Possess evidence on their social and cultural integration, knowledge and respect of Lao traditions;
4. Are in good health;
5. Are not under prosecution by the court or in custody;
6. Agree to relinquish his/her original nationality;

7. Have permanent residence in the Lao PDR continuously for ten years before requesting the Lao nationality.

Lao legislation does not establish in any act or statute that marriage with a non-national can be grounds for the loss of Lao nationality. According to the Law on Lao Nationality (Article 17) the "acquired Lao nationality can be withdrawn within a period of ten years from the day it is acquired if it is seen that individuals having acquired the Lao nationality:

1. Have provided false information when requesting the Lao nationality;
2. Have dishonored the Lao citizenship.

The withdrawal of Lao nationality will not entail any alteration to the nationality of the concerned individual's spouse or children." Further, according to Article 3 of the same law "Lao citizen's marriage with or divorce from individuals bearing other nationalities or without nationality will not induce any alteration to their Lao nationality. A spouse's acquisition or forfeiture of the Lao nationality will not induce any change in the nationality of the other spouse."

According to Article 16 of the Law on Lao Nationality, "Lao citizens may relinquish the Lao nationality with the authorization of the National Assembly Standing Committee of the Lao People's Democratic Republic. The Lao nationality's relinquishment will not be authorized if the solicitors have not implemented their duties as citizens towards state or social organizations."
These conditions apply to all citizens, both men and women.

According to Article 21 of the Law on Lao Nationality, "If one parent has relinquished the Lao nationality while the other parent has maintained the Lao nationality, the children will keep the Lao nationality."

All individuals, both men and women, can re-acquire the Lao nationality by submitting their requests with the authorization of the National Assembly's Standing Committee of the Lao People's Democratic Republic according to the Article 18 of the Law on Lao Nationality.

ARTICLE 10 Education

The State Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning

To really understand the situation in the education sector in the Lao PDR today requires a historical review of the education in the country. Only a century ago, the only children receiving education were boys of the Buddhist religion, who could study at the temple. During the French colonial period, French curriculum and language schools at urban areas began educating boys and a few girls of elite families. Students of ordinary farmers rarely had an opportunity to gain education due to the lack of French language skills and education fees. Upon graduation, these students were immediately moved to the French administration. At the time of the 1975 revolution, only about one-third of the population was literate and the vast majority of them were males. Only five percent of the adolescents were attending secondary schooling (UNICEF, 1996).

Between 1976 and 1985, the new Government made impressive gains in expanding education. The number of schools, students and teachers increased by approximately 77 percent. Primary enrollment rate increased by more than 50 percent and secondary enrollment by nearly 200 percent. During the same period, over 10,000 students received scholarships from Eastern Europe, the Soviet Union, Vietnam and China. About 20 percent of these scholarships were granted to women. All graduating at that period were ensured positions in the civil service. Also massive literacy campaigns were introduced in the rural areas of the country with immediate but unfortunately not with long-term results. Thus a lot was achieved in terms of education in the Lao PDR during the 10 year period after the revolution. These efforts have continued until to date but still a lot remain to be done both in general terms and in closing the gender gap in education.

The organization of the education system in the Lao PDR

The country's education system is divided into five levels:

- preschool education
- primary school (5 years)
- lower secondary school (3 years)
- upper secondary school (3 years)
- post-secondary (2 to 6 years)

The educational system is organized and administered by the Ministry of Education at the national level. The Ministry of Education has a staff of 136 of which 28 are women. The educational system reaches into the countryside through a network of Provincial Education Service (PES) offices and the District Education Bureau (DEB). Integration at the village level is the responsibility of the village chiefs, school management committees and school principals.

Article 25 of the Constitution (1991) states: "Lao citizens have the right to education." Article 19 of the Constitution (1991) further states: "The State implements a compulsory education system at primary levels. The state authorizes the operation of private schools, which utilize the Curricula of the State. The State, together with the people, builds schools at all levels in order to assure a comprehensive system of education, and to pay attention to develop education in the areas where the ethnic minority people reside." The Government has however under the current circumstances decided to postpone the implementation of the compulsory primary

education at all levels beyond the year 2000, nevertheless keeping this goal in mind when making policy decisions concerning the education sector.

Current situation — primary education

Despite the 1991 Constitution stating that primary education is compulsory at all levels, the starkest education problems appear at the primary level. The steepest loss of students occurs at the primary level with only 41 percent of entering students completing primary school. According to the 1995 Census, out of the population of 6 years and above, only 9 percent of women had completed primary school, the figure for males being 13 percent. 27 percent of women and 35 percent of men received some education at the primary school but had not completed it. About 28 percent of all the 6-10 year olds were not attending elementary school. The figure for girls rises to 33 percent. A large percentage of those non-attendees are ethnic minority children. Gross-enrollment ratios reveal wide variations. Central provinces have the highest gross-enrollment rate while southern and northern provinces do poorly.

According to the Census (1995), 52 percent of the females over the age of 6 and 33 percent of the males have received no education. A slightly bigger number 56 percent of ethnic minority girls never attend primary school and most of those who do complete only two grades. In addition, over 4,000 villages, largely in remote areas, lack access to primary schools.

In 1993/94, there were 22,650 primary school teachers, approximately 42 percent of which were women. In rural areas the proportion of female primary school teachers dropped to approximately 30 percent. A substantial proportion of the teachers, 55 percent, is under-qualified (less than 8 years of schooling and 3 years of teacher training). The amount of under-qualified teachers is substantially bigger in the rural areas of the county, approximately 70 percent of the teachers, than in the urban areas, approximately 35 percent of the teachers (World Bank, 1995).

Current situation — secondary schools

According to the 1995 Census, out of the population of 15 years and above, 3 percent of women and 5 percent of men have completed lower secondary school and 2 percent of the women and 3 percent of the men had completed upper secondary school. About 4 percent of women and 6 percent of men had attended some schooling at the lower secondary level and 1 percent of women and 2 percent of men had received some upper secondary level education.

Reasons for the relatively low school attendance at the secondary level can be partially found from the repetition rates of the primary education. At the primary level, the average repetition rate was 25,3 percent, dropout rate was 16,4 percent and pass-rate was 71,1 percent. In 1994/95 at the primary level 73,073 students sat for the completion examination. Of these, 42,2 percent were women. Seventy-one percent of all examinees passed and 73,4 percent of girls who sat for the examination passed. Using the 1995-96 rates of progression, 35 percent of grade one entrants were likely to reach grade 5, but only 55 percent of the grade 5 students will move into lower secondary school. The percentage is much lower for girls than for boys (World Bank, 1995).

For the school year 1986/87 there were a total of 6,764 lower secondary school teachers out of whom 2,648 were women. The numbers for the school year 1994/95 were a total of 7,710 teachers and 3,055 of them were women (World Bank, 1995).

Current situation — higher education

Since the beginning of the 1990s, lower and upper secondary enrollment has increased by 18 percent. Meanwhile, student's chances for continuing their education at post-secondary levels have decreased by 19 percent. The major

problem for secondary and post-secondary level students seems to lie in the lack of post-schooling opportunities and vocational training that match with the labour market needs (UNICEF, 1996).

According to the 1995 Census, 2 percent of females and 3 percent of males have completed higher education. For the school year 1995-96, there were 5,755 male students and 2,237 female students in higher education. The number for the school year 1997-98 were 7,389 males and 3,360 females. During the academic year 1995-96 Bachelor's Degree was received by 2,731 males and 1,625 females. For the academic year 1997-1998, the figures were 3,598 for males and 2,244 for females. In the academic year 1995-96, Diploma Degree was issued to 3,024 males and 612 females. For the academic year 1997-98, the figures were 3,791 for males and 1,116 for females. During the academic year 1997-98, all together 33 men and 13 females dropped out of higher education institutions (Ministry of Education).

In the higher technical education by major disciplines the students participated during the school year 1997-98 as follows:

High Technical Training (Diploma level)		
	Male	Female
Communication-Transport	436	79
Irrigation	306	30
Architecture	355	55
Electronic	314	45
Forestry	219	50
Agriculture	261	32
Law	1113	251
Post-Telecommunications	73	15
Business Administration (private education)	714	559

University (Bachelor degree)		
	Male	Female
Faculty of Medical Sciences	282	248
Faculty of Humanities and Social Science	1401	1045
Faculty of Sciences	128	68

Female student's admission to university can, in special cases, be facilitated under the "special considerations" clause that is targeted at the disadvantaged students from the provinces or at the disadvantaged female students. These groups can be granted a one-year preparatory period at the university before taking their entrance exam in order to be able to prepare for the test properly.

Also some foreign governments offer scholarships for oversee studies at the levels of higher education. For instance, the Government of Australia offers 40 Master's Degree scholarships annually, 20 in the open category and 20 in the government employee category. The Government of Australia enforces 50-percentage male and 50-percentage female quota principle for both categories.

Non-formal education and literacy

According to the 1995 Census, the over-all literacy rate for the Lao PDR was 60 percent, i.e. six out of the population aged 15 years and above could read and write in Lao. The literacy rate was highest in the capital area, where 85 percent of the population aged 15 years and above could read. The national literacy rate for men was much higher than for women, 74 and 48 percent respectively. There were also differences between urban and rural areas in this respect. While the literacy rate in urban areas was 85 percent, the rate was slightly lower than 55 percent in the rural areas. The literacy rate is especially worrying amongst the ethnic minority women:

	% of literate females	% of literate males
Lao	66.12%	86.03%
Khmu	22.71%	60.76%
Hmong	8.10%	45.65%
Akha	0.74%	7.01%

The Fertility and Birth Spacing Survey (1995) shows that among ever-married women, 40 percent have had no education, 26 percent had primary schooling of which only 12 per cent graduated. Since 1990, the Government has developed a programme of non-formal education. This programme combines skills training with literacy and basic education and most of the beneficiaries have been women.

Girls' equal opportunity to participate in the sports and physical education

The number of teachers specialized in physical education across the country is 373 and 38 of them are women. At primary and secondary schools, both boys and girls participate equally in physical education. The curriculum is the same for both the girls and the boys and the children play football, volleyball, badminton, and other team sports of similar kind.

After the school hours, according to the National Sport Committee statistics, approximately 5,000 men and 1,500 women jog in their free time. According to the same statistics, women and girls tend to favour basketball and volleybali as free time activities where as men and boys are more eager to play football and exercise sports like karate and Lao boxing. In the traditional Buddhist Lent boat race which takes place annually, around 600 males and 200 females participate each year.

Stereotyping of boys and girls in textbooks

According to a survey conducted by the Ministry of Education (1999) on primary school books through grades 1-5 some gender biases can be observed in the textbooks. The pictures in the first grade book still, to certain extent, convey a message that some tasks like feeding the chicken or taking care of the younger siblings are for women only. Some pictures also convey a message that sports and other out-door activities are for boys only.

The Ministry of Education is alerted of this situation and will include pictures with more balanced views relating to the gender roles when the textbooks are being renewed.

Education on family planning at schools

The Government of the Lao PDR has recognized the importance of population education for adolescents and the Ministry of Education will focus its attention on adolescents who are studying in the formal and non-formal education sectors. The main objective is to develop curricula as well as teaching learning and training materials to

incorporate population education into primary and secondary schools as well as in non-formal education programmes. The content areas include reproductive health and sexual education as well as population issues and concerns. The pilot project has been implemented only in a few number of education establishments throughout the country at this point of time but the programme will be expanded to 100 primary schools, 60 new lower secondary schools, 40 upper secondary schools, 8 non-formal education centres, and four teacher training colleges during 1999-2000.

Factors hindering girl's and women's equal access to education

There are several factors contributing to the girls and women's unequal access to formal and non-formal education. First of all, girls are responsible for carrying out domestic chores and for watching over younger siblings. This results in extensive dropout rates for girls after few years of primary school. Physical access to education services is one of the key determinants of the participation of girls and especially ethnic minority girls, particularly those living in isolated areas, whose families might be reluctant to send them to school outside their villages for a variety of reasons. At the moment, there are approximately 4,000 villages without schools.

Girls in the urban areas, drop out because they do not see improved job opportunities resulting from education (UNICEF, 1996). In the rural areas where the ethnic groups reside, some groups especially the patrilineal groups have a cultural bias against girls acquiring education. In addition, in many ethnic groups, girls marry and have children at a very young age, making education difficult (ADB, 1997).

The girls and members of the ethnic minorities are more likely to participate when there are positive role models at schools who are of the same sex and/or ethnic origin. In 1993-94, the percentage of primary school teachers of ethnic Lao (main Lao) origin was around 82 percent. The proportion of female primary school teachers at each level varies with grade from a high of 48 percent in grade two to a low of 25 percent in grade five, the critical transition year from a primary to a lower secondary school (ADB, 1997).

Further, ethnic minority girls and boys face language difficulties at schools since all the teaching takes place in the main Lao language (ADB, 1997).

Finally, the relevance of literacy, basic education and vocational training to the lives of girls and women is not always readily perceived. Some families still think that it is more cost-effective in terms of future benefits to educate a boy than a girl (ADB, 1997).

In the non-formal education the existing programmes have achieved very good results but some of them have failed due to the fact that the traditions of the trainees, who represent mostly ethnic minorities, are not taken into account (UNICEF, 1996).

Government policies and plans to ensure equal access of both sexes to education

The Government of the Lao PDR has been very concerned about the overall situation in the education sector. In 1998, the Ministry of Education prepared an overview of government policy towards education. Relating to the education of girls and women, the following is mentioned:

- place strong emphasis on improving equity of access to basic educational services
- provide vocational training for women and girls, minority groups and disadvantaged adults
- expansion of adult literacy and vocational education programmes for disadvantaged groups, including girls, women and minorities.

In addition, the Ministry of Education has developed a special Education for All 2000 programme. Goals of this programme include:

- to increase the net enrollment ratio of six-year-old children to 80% by the year 2003, and to 85% by the year 2005;
- to reduce the drop-out rate and repetition rate, and increase the retention rate from 40% to 80%;
- to improve pupil performance by upgrading the quality of teaching content, thus enabling students to gain knowledge and skills relevant to the needs of the community;
- to increase the lower secondary school completion rate up to 70 percent;
- to reach the goal of 80 percent literacy rate among adults from all the ethnic groups.

The non-formal education efforts of the Government are targeted at seven primary target groups including women, particularly those in rural areas, who are insufficiently educated, are to receive education concerning family health and safe motherhood.

To achieve this, the education budget has been increased from 8,3 percent of the total government budget in 1990 to approximately 12 percent.

To specifically target the educational needs of girls and women, the Government has started a Women's Education project. The project is developed to increase the gender and ethnic sensitivity of the formal school system, especially by contributing to integration of the three main systems of education at the village level (indigenous traditional learning systems, non-formal education, and formal education or schooling) and improved vertical and horizontal integration and coordination within the education system itself. The project activities are scheduled to take place throughout the country and be completed by 2005.

In terms of reaching educational sustainability, the project will:

- improve co-ordination, strategic planning, policy formation and the distribution of resources within education;
- enhance provincial and district coordination and integration of national policy objectives with local conditions.

In terms of providing access for education, the project will:

- increase the access of girls and ethnic minorities to educational facilities, including 200 new primary schools and six new primary boarding schools;
- develop a common understanding among school, families, community, religious institutions and local education authorities about education and socio-cultural realities;
- develop a practical methodology for minimizing socio-economic impediments to schooling girls; and develop a structure, action plan and sustainable means to address economic and financial constraints of families of girls and ethnic minorities in poor and isolated areas.

In order to make education relevant for girls and women, the project will:

- increase the integration of traditional learning and formal basic education;
- apply non-formal education approaches to formal education strategies;
- provide role models in the form of female and ethnic minority teachers.

In addition, Lao-as-a-second-language teachers will be trained in order to facilitate the language barrier that the ethnic minority girls face while trying to pursue their studies in the formal school system.

Women's non-formal education will also be in focus through another programme, which is currently starting and will last until 2003. As part of the programme, child care facilities will be offered for the children of the women wishing to participate in the non-formal education classes to better enable these women to benefit from the offered education.

ARTICLE 11 Employment

1. State Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to work as a inalienable right of all human beings;
(b) The right to the same employment opportunities, including the application of the same criteria for selection in all matters of employment;
(c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;
(d) The right to equal remuneration, including benefits to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
(e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as right to paid leave;
(f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities;
(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

3. Protective legislation relating to matters covered in this article shall be revised periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Equality of men and women to employment in front of law

Article 26 of the Constitution (1991) states "*Lao citizens have the right to work and engage in occupations which are not forbidden by law. Working people have the right to rest, to receive medical treatment in time of ailment, to receive assistance in case of incapacity and disability, in old age and other cases as prescribed by law.*" Article 2 of the Labour Law (1994) states "*The Government shall ensure that employers and workers derive mutual benefits from their relationships without discrimination on the basis of race, colour, sex, religion, political opinion or social status.*" At the same time, it establishes equality of remuneration and of conditions of

employment for both sexes, as well as equality in treatment in the evaluation of the quality of the work (Articles 21, 24, 25, 26).

According to the Labour Law (1994), all the workers remunerated on a monthly basis are entitled to sick leave with full pay for up to 30 days per year and, when the sick leave exceeds 30 days, workers concerned shall have compensation under the social security system (Article 29).

Article 30 states that all the workers employed under an employment contract concluded for an indefinite period of time of for a period exceeding one year and who have worked for one full year shall be entitled to 15 days of annual leave. Workers performing arduous work or work which is damaging to their health shall be entitled to 18 days of annual leave.

Article 50 of the same law guarantees right for all the workers to medical examination once a year and to health care as far as occupational diseases are concerned. Compensation to victims of occupational injury or disease is guaranteed for all the workers on the same basis (Article 53).

Article 33 of the Labour Law (1994) states "*An employer shall not employ women to perform heavy work dangerous to their health as specified by regulation, not to work during the night in all industrial sectors from 10 p.m. to 5 a.m. the next morning. The rest period for women shall be at least 11 hours before resuming work on the next day.*"

Normally, the retirement age for men is 60 years and for women 55. For workers having worked in hazardous employment for over five years in succession prior to retirement, the service period required to obtain a pension is 20 years, and the retirement age is 55 for men and 50 for women (Article 54 of the Labour Law, 1994).

According to Article 48 of the Labour Law (1994), "*each labour unit in the socio-economic sectors shall establish a social security fund or pay to a compensation fund to ensure the living standards of its workers in accordance with the social security system. Workers and employers shall contribute to the social security fund in accordance with regulations adopted by the Government.*" In practice, however, the social security fund has been operational only since 1996 and, to date, 5,150 females and 7,910 males are contributing to a pension fund, 135 females and 1,455 males to the orphan fund and 270 females and 2,545 males to the disability fund. These figures concern the public sector at this point of time and the social security fund for the private sector is getting started in 2001.

Women in the labour markets

Lao women comprise about 51 percent of the population and 50 percent of the total labour force. About 90 percent of the women are participating in the labour force. The Census (1995) suggests that unemployment is very rare for both men and women (1.7 percent of the labour force) but that female employees are much likely to gain employment during the periods of unemployment. The 1994 Urban Labour Survey (ULS) shows a relatively equal ratio of male (52 percent) to female (48 percent) urban workers, of which less than 4 percent are ethnic minorities. According to the same survey there is a gender imbalance in urban occupational access, with women filling the majority of the unskilled jobs, and far fewer of the upper-level positions. Females comprise only 10 percent of managerial workers. In occupations for professionals, skilled craft and trades workers, and plant and machine operators, there are 30 percent fewer females than males. For service work and unskilled, elementary jobs, women predominate. Average earnings of urban workers also show gender disparities with women earning roughly 77 percent of the amount of men's salaries. In elementary occupations, for which education and training are not high considerations for either males or females, women earn 61 percent of the average salary for men.

Mainly due to the fact that the labour force in the formal wage sector is still small in the Lao PDR the effects of the recent Asian crisis on employment and incomes has not been as severe as in some of the neighbouring countries. The initial assessment carried out by the World Bank (1999) shows that in some cases, particularly in urban areas, women have had to carry a disproportionate portion of the burden in coping with the economic difficulties stemming from the recent Asian economic crisis. More research would be needed to verify these results.

Women in agriculture

It needs to be kept in mind that the Lao PDR is a predominantly rural society, with over 83 percent of the population living in rural areas. In rural areas, farming is the main activity for almost 91 percent of income earning males and over 94 percent of income earning females[1], with very little variations across regions. The vast majority of Lao PDR's agricultural producers are subsistence producers, with very low incomes. Unfortunately, at this point of time, the official statistics do not permit a classification of farming households whose agricultural income is supplemented either by a secondary activity of the household head or by a non-agricultural main activity of other household members (World Bank, 1995).

Eighty-five percent of all women are farmers, producing mostly for household consumption. Even in the urban areas, 47 percent of the female labour force is involved in agriculture. It has been estimated that women and girls perform 50-70 percent of all household consumption and production tasks. Rice is the most important crop in the Lao PDR. Gender roles in cereals, paddy and upland rice cultivation and livestock care are somewhat equal, with women taking up most of the tedious, time-consuming tasks, and men the short-term, strenuous work. Women and children, however, perform the majority of chores related to gardening for consumption and cash-income, the household and collection of forest products. Women obtain as much as 30 percent of the family's diet and household needs from foraging, and in some areas women obtain up to 70 percent of the family's protein diets from fishing (ADB, 1996).

The Government of the Lao PDR recognizes women's important role in rural development and in the agricultural sector. As described under Article 10 Education, the Government is promoting education for all the women and especially to ethnic minority women living in rural areas. The Government sees that women gaining literacy and at least a primary level education is imperative for them to diversify their sources of income. The specific measures addressing the improvement of the living conditions of the rural women will be addressed under Article 14 Rural Women.

Women in formal and informal business

Within the small to medium scale business sectors, women have regained their place as entrepreneurs. Before the 1975 revolution, women dominated petty trading targeting urban markets, market operations, home storefront handicraft enterprises and small business shops. With the opening of private trade and due to the recent Asian economic crises, which affected the incomes of families, especially in the urban areas, women's power and status in business has returned (UNICEF, 1996).

A 1995 survey of small enterprises found that women owned and operated 63 percent of the 25,000 registered small businesses. Women represent 57 percent of the workforce in this sector, which contributes about nine percent to the GDP. The average age of women and men entrepreneurs respectively is 36 and 41, indicating that women start their businesses earlier than men. Women entrepreneurs show a significantly lower education level: among the interviewees 22 percent of the women and 12 percent of the men had no schooling. Ninety five percent of women businesses use low technology manual tools. Some fields of the SMEs have a strong male/female bias.

[1] The income earning population is defined as the population 15 years old and over who earn income (i.e. are not students, housekeepers, retired etc.).

Over three-quarters of the small and medium-size enterprises are located in the rural areas and about 13 percent are located in the five largest cities (Minot, 1995).

Business type	Male	Female	Mixed
Rice Milling	82.2%	6.5%	11.3%
Noodle Rice Paper	2.5%	97.5%	
Food Processing	6.2%	93%	
Furniture	99.3%	0.6%	0.1%
Weaving	1.0%	97.6%	1.4%
Metal Works	100%		
Food vending	29.4%	70.6%	
Drink vending	1.1%	95.6%	3.3%

Women dominate the commercial sector, where the female to male ratio is 2:1, garment and textile production, and food processing other than rice milling. Men are largely represented in wood, metal and other manufacturing sub-sectors. Male enterprises attain about twice the sales of female owned enterprises.

A qualitative survey (GTZ, 1996) revealed that female owned businesses were mostly home-based because that provided flexibility in terms of child-care and also because this was seen as culturally acceptable. Overall the survey assessed that these selected female businesses seem to perform well and are progressing. The women provided several reasons why they started their businesses:

- government salary of spouse insufficient for family maintenance;
- female headed household and no alternative;
- released government employee;
- very small-scale selling and trade venture emerged into business;
- informal craft skills developed into wider production.

In the Lao society, women are perceived as effective business negotiators and financial managers outside the house. The same survey revealed that women's businesses contribute about half to the family income.

The Government of the Lao PDR recognizes that small business ventures clearly open new avenues of empowerment and opportunity for women, and increased incomes to their families. The Lao Women's Union is currently working with women entrepreneurs under a bigger programme called "Promoting Women in Economic Development and Poverty Alleviation" in order to strengthen women's vocational skills and to provide them better access to income generating loans and to better inform women of their legal rights.

In the ranks of business leaders and managers, however, women's presence remains weak. The National Chamber of Commerce and Industry estimates 11 percent of senior decision-makers in private business are women and that their salaries are only half of those of male managers.

Business Leaders in the Lao PDR by gender, 1993[2]

	Male	Female	Total
Board of Lao National Chamber of Commerce and Industry	11	1	12
Trade and Service Sector	39	2	41
Industrial, Handicraft & Agriculture sector	26	3	29
Import sector	28	4	32
Garment & Textile Manufacturing sector	15	5	20
Consulting	10	1	11
Construction	9	0	9
Tourism, restaurant, hotel	9	2	11

Women working in industry

The rapidly growing garment industry has become the second-largest export earner and the largest employer of female urban labour. Most of the fifty enterprises are small to medium size foreign-Lao joint ventures. Among 15,000 workers, over 95 percent are young rural women with rather poor education (ADB, 1996).

The Government is concerned about the situation of these young women in the garment factories since their knowledge of their rights according to the Labour Law is very limited. An inter-ministerial working group has been formed by the Government to foster better working conditions in the garment industry and to raise awareness amongst the textile workers concerning their rights in the workplace (Urban Labour Survey, 1994; ADB, 1996).

Women working in government service

Outside agriculture, government service is the second largest employment avenue for women. In 1988 and 1991 civil service restructuring reduced women's employment rate more than that of men. Unfortunately, during the retrenchments, the civil service lost the talents of numerous skilled female professionals. This trend deepened the gender imbalance in the civil service, curtailed women's influence in development planning and implementation and lessened the number of women as role models for girls. (UNICEF, 1996)

According to the 1995 Census, out of 130,500 state employees 27 percent are women. In the year 1999, there were 19 women working in the director level positions, 46 women in the deputy director positions and 236 women as division heads in the civil service (GPAR, 2000).

Professional women still remaining in the civil service continue to face gender biases. The job assignments do not often match with the qualifications of the female employees, and this subsequently influences the choice of professions for young women. Young women are not interested in studying sciences or engineering as they face unequal employment opportunities and limited upward mobility in many fields, compared with male colleagues with equal educational attainment (ADB, 1996).

[2] Lao Chamber of Commerce.

There are also some predominantly male professions amongst the academic professions.

Employed persons disaggregated by sex in the 1995 Census		
Occupation	Males	Females
Legislators and senior officials	5167	94
Engineering	3257	522

In a series of ministerial meetings organized by the Lao Women's Union in 1993-95 women working in the public sector said that they would like to have gender awareness raising organized for the male employees working in the public sector. The Lao Women's Union is addressing this pressing problem by currently organizing gender training in different ministries.

The Government of the Lao PDR is very concerned for losing such pool of human resources essential for the development of the country by not having enough of avenues for promotion of women in the civil service. Currently only six percent of senior officials in the civil service are women. In the Tri-Partite Review Meeting of the Public Administration Reform Project being implemented since 1997, the Government emphasized the importance of a policy to advance more women in the public administration. It was stated that gender issues should be included into the Civil Service Reform Action Plan but it was also stated that this might prove to be difficult to implement due to wider socio-economic and cultural issues. It was also stated that the Public Administration Reform should work closely with the Lao Women's Union to solve the problem. It was recommended that the first step regarding the advancement of women in the local level administration would be to conduct a survey throughout the civil service with regard to the training, skills levels, participation and retention rates of women.

Maternity benefits and child care

Article 34 of the Labour Law (1994) states "*An employer shall not employ a woman during her pregnancy or during the six months following her confinement to perform any of the following duties: lifting or carrying heavy loads; work which entails standing continuously for long periods. In such circumstances, the employer shall assign women to other temporary duties. While performing these temporary duties, the workers concerned shall continue to receive their normal salary or wage for a maximum period of three months, after which they shall be paid the salary or wage corresponding to their new assignment. An employer shall not employ pregnant women or women with a child under 12 months of age to work overtime, or on a day of weekly rest at night.*"

Article 35 of the Labour Law (1994) states "*Before or after confinement, women workers shall be entitled to at least 90 days of maternity leave with their normal pay from their employers or from the social security fund, if contributions have been fully paid to this fund. Such period of maternity leave shall include post-maternity leave of at least 42 days. During the 12-month period following confinement, women workers shall have the right to a daily break of one hour to nurse or to take care of their child if they place their child in a nursery or bring the child to the workplace.*" Women are also entitled to a one-time cash benefit equal to at least 60 percent of the minimum wage established by the Government on giving birth to a child according to Article 36 of the Labour Law (1994).

In the rural areas of the country, a traditional "Yu Kam" is a long-standing traditional practice for postpartum women to rest and recover after birth. The extent of this period varies depending on the traditions on a given ethnic group. In general, mothers in all ethnic groups take a full rest of at least one month after the delivery of the

baby (UNICEF, 1994). Women in urban areas, especially if employed in the state sector, are in a better position to benefit from the paid maternity leave granted to them by the Labour Law.

In the rural areas of the country, during the cooperative era (implemented 1976-1985) there were childcare centers set up in many villages. The child care centre was a place where the parents could put their children during the day so that the parents could go to the fields to do cooperative work. Some of the child care centres in the rural areas are still functioning but after the end of the cooperative era the child support system tended to revert back to the traditional patterns of reliance upon immediate relatives, usually the grandparents (UNICEF, 1995).

In the urban areas, there are some nurseries and day care centres available but they mostly operate on a private basis and are beyond the reach of an average wage earner. Women working in the formal and informal businesses normally organize working hours and the location of their businesses so that they are able to look after their children. Immediate family, especially the older girl, children and grandparents participate in caring for younger children. Some state institutions have child care facilities operating in the same building and the employees can place their children in these centres during the working hours. In other cases the relatives of the parents assist in the day care of the children.

ARTICLE 12 Equality in Access to Health Care

1. *State Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those relating to family planning.*
2. *Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.*

The National Population and Development Policy Goals of the Lao PDR:

- Support measures to promote the achievement of a rate of population growth compatible with socio-economic development and employment opportunities available within the country.
- Motivate and assist the people to improve their quality of life by ensuring safe motherhood, reduce maternal and child morbidity and mortality associated with conditions of the reproductive system, and enable couples to responsibly decide the number and spacing of their children taking into account their own social and economic conditions.
- Improve the status of women and the ethnic populations by improving access to education, health, social welfare and socio-economic development.
- Promote a balance distribution of population between different parts of the country in order to preserve the country's environment, with the view to ensure sustainable development.
- Promote and facilitate the incorporation of population factors and concerns into all social and economic policies, plans and programs, through support for data collection and research on population and development issues while simultaneously upgrading the nation's institutional and technical capacities in the fields of population and development.

The health status of the Lao PDR has improved during the past five years but is still below Asian standards. In the Lao PDR, Social Indicator Survey infant mortality has been computed to be 82 infant deaths per 1,000 live births. Maternal mortality was found to be approximately 530 deaths per 100,000 births, and the total fertility rate is approximately 5.6 per woman. Life expectancy at birth for women is 61 years and 57 years for men (Census, 2000). Health system is characterized by rather low access to services and by limited service efficiency.

Access and quality in health services

Over the past two decades the overall number of medical personnel and facilities has increased to a reasonable level for a developing country. Between the years 1976 to 1995 the number of central hospitals has increased from four to eight, the number of provincial hospitals from 12 to 18, the number of district hospitals from 96 to 131 and the number of health centers from 294 to 542. Nevertheless, the gap in medical services and personnel between rural and urban areas has become stark. In rural and remote areas where the majority of the poorest and least healthy families live the professional health network is still weak. While urban residents enjoy nearly 100 percent access to nearby hospitals and medical practitioners, 70 percent of the rural families are more than 3 km from a hospital, clinic or dispensary. Access and availability to health services is restricted by poor infrastructure: 49 percent of rural villages are 2-3 days from health services. Out of 117 district hospitals, only 20 are reported as fully operational. Vientiane residents have nine times more doctors per person than the rest of the country, as well as four times more mid-level staff and nearly twice the lower level staff. Over 50 percent of the country's doctors service 10 percent of population that live in Vientiane (World Bank, 1995; UNICEF, 1996).

Rural population face extraordinary barriers to good health due to severe poverty and regular food insecurity. Cultural traditions and low levels of education exacerbate the situation. Often the uneducated do not readily see the value of health care services and sometimes they follow superstitions. Villages seek the advice of elders and other respected people who may or may not provide good health information. In some ethnic groups fathers make the decisions as what and which form of health care will be used by the family members. Even if the rural women would decide to use the modern health care facilities language barriers restricts them from doing so (UNICEF, 1996).

Regarding the choice of health care provider in the Lao PDR, almost 60 percent of adults and children report seeking care from pharmacies. Only 12 percent on average visit modern facilities. Traditional health care is reported by 17% of the population and 13 percent report to have no care. In rural Lao PDR, the use of pharmacies and traditional healers amounts to 75 percent of people who reported seeking health care. On the other hand, the utilization of some health care services has improved (World Bank, 1995). These include Mother and Child health care programmes and targeted village health care programmes.

Pattern of Pharmacy and Modern Health Care Utilization for Urban Households

Pharmacy			Modern		
Males	Females	Total	Males	Females	Total
72%	66%	69%	20%	23%	22%

The total number of health personnel has increased from 5,000 in 1976 to 10,200 in 1995 but the management of human resources and finances in the health sector remains a prominent issue. Health staff lacks job descriptions and have very low salaries despite higher education. Health workers in remote areas face more difficult conditions due to irregular salaries, lack of medicines and equipment. These conditions hamper health personnel's willingness to move to rural areas. The studies show that the medical personnel especially at lower levels would wish to receive more training (UNICEF, 1996; World Bank, 1995).

Except for the highest levels of medical profession, women participate equally with men as health care providers.

Participation of female professionals as health care providers (Ministry of Health, 1995)

Category	Women	Men
Total staff	57.4%	42.6%
Higher University	23.0%	77.0%
Physician	41.4%	58.6%
Middle Level Personnel	56.6%	43.4%
Lower Level Personnel	63.7%	36.6%

The Ministry of Health is currently addressing the human resource development of its staff. This programme contains three sub-goals namely training, staffing and motivation.

Health sector financing by the Government has risen steadily during the last few years from 2.8 percent of GDP in 1986/87 up to 3.2 in 1995. External aid accounts for 25 percent of health expenditure sources and households contribute 57 percent (World Bank, 1995).

Regional health centres and village dispensaries are not authorized to collect fees except for medicines. Retired people, Government and Party staff and their children under 18 years of age and spouses are not required to pay fees. Poor people, students, monks and novices are also exempt from charges (UNICEF, 1996).

The Government has set a goal that by the year 2000 at least 50 percent of the population would be using health facilities. Programmes to target especially the female users of health services will be further discussed in the following chapters.

Women's health status

According to the first national study on adult female mortality (1994), about one-third of all urban women had died in the hospital or in their way to hospital, as opposed to less than one-eight of the rural women. Education, ethnicity and economic status all affect women's willingness to use modern medical facilities.

The main causes for adult female deaths were, in descending order, febrile syndromes evoking malaria, obstetric complications, chronic respiratory problems evoking tuberculosis, cardiopathies, invasive diarrhea, abdominal tumors, accidents, acute diarrhea evoking cholera, and soft tissue infections.

Maternal and child health care

The major causes for maternal mortality (530 / 100.000) are the absence of pre-natal, delivery and post-natal care that are accessible, available and acceptable. Considering that a majority of high-risk factors can be identified and managed during the first antenatal visit, even one visit could save mother's life. However, only one out of every four women visits a pre-natal care facility. Attitudes and accessibility are constant deterrents. An average rural family lives 11-15 km from the nearest public health facility (NSC, LECS/LSIS, 1993). Rural pregnant women often lack transport and money for the travel and services (MOPH/WHO/UNICEF/JICA, 1995).

The first study on adult female mortality (LSIS, 1994) shows that the main causes for maternal deaths are postpartum hemorrhage, complications of abortion, infectious diseases (malaria), postpartum sepsis, and cardiopathies.

In the Lao PDR, infant and under-five mortality has been very high for decades. The infant and under-five mortality rate was estimated at 113/1000 and 142/1000 during the period 1989-1994 (NSC, FBSS, 1995). Gender

discrepancies were minimal. Diseases such as malaria, measles, acute respiratory infections, diarrhea and dysentery accounted for the majority of infant and child deaths and morbidity. A comparison of mortality rates between 1984-88 and 1989-94 demonstrated a slight 7 percent decline for infants and a significant 52 percent decrease for ages 1-5. The drop in the latter was due to a reduction in the mortality rate of children ages 1-5 from 68/1000 to 33/1000. Of all child deaths (ages 0-15) approximately 58 percent are in the first year of life.

At the national level, almost 40 percent of the women in the Lao PDR report that the place of the child delivery is their own home, with no help. About 30 percent report being assisted by a friend or a relative, and 23 percent receive assistance from traditional healers or midwives also at home.

Type of Assistance at Child Delivery, Urban and Rural (LECS, LSIS, 1993)

NO HELP	FRIEND/RELATIVE	HEALER/MIDWIFE	MODERN
urban/rural	urban/rural	urban/rural	urban/rural
21%/42%	23%/34%	29%/21%	27%/3%

Assistance at birth varies widely in the Lao PDR by location. In urban areas the use of modern health care for child delivery is much higher, 27 percent and it increases substantially with income levels. In rural areas modern health care is low among all income groups. Only 17 percent of ever-married women aged 15-49 years had received at least three shots of Tetanus vaccination, an immunization that can save mother's life at birth.

Post-natal care occurs mostly through home visits by health workers from Mother and Child Health care clinics because the cultural practices encourage women to stay in bed for about a month after the delivery. However, this service is available only to rather limited extent at this point of time.

Nearly one third of Lao household experience insufficient food intake, and as a result many adults and children suffer from chronic energy deficit. As a consequence of heavy workloads, food insecurity, and frequent pregnancies, women (15%) suffer more than men (12%) (FAO, 1995). While extended breast-feeding practices (14-16 months on average) are helpful to the newborn, the practice can severely weaken the mother's nutrition where the quantity and quality of dietary intake is poor. Several household and nutrition surveys (NSC, LECS/LSIS 1993, FAO 1995) have called attention to the prevalence of both acute and chronic malnutrition and its relationship to family food security, poverty, low-level education, and clean water supply. Chronic malnutrition is pervasive and evenly distributes through the population. World Bank study (1995) shows that acute malnutrition is twice as high in the south in comparison to the north and central regions of the country. However, malnutrition in the Lao PDR ranks well below the mean for South-East Asia.

Wasting and stunting in children under five appears to be severe. An FAO diagnosis on the country's nutritional status records the prevalence of wasting (weight for height) at ten percent and of stunting (height for age) at 48 percent per children of 0-5 years. Gender differences in food consumption and malnutrition according to these studies indicate minimal discrepancies. However, further studies are needed to confirm this result.

The Government of the Lao PDR has recognized the severe problems related to mortality and has launched a programme to combat the worrying trend. The Government has set a target to reduce maternal mortality rate to 400/100,000 by the year 2000. To achieve this objective the Safer Motherhood programme will contribute towards:

- ensuring access to and utilization of quality antenatal, delivery and postnatal care for at least 50 percent of all women, and the referral to hospital for high risk pregnancies and obstetric emergencies;
- the promotion of exclusive breast-feeding up to four months (at least 80% of women);

- the promotion of breast-feeding within 30 minutes after birth to reduce postpartum hemorrhage (at least 80% of women);
- the promotion of impregnated nets (at least 80% of women sleep under impregnated nets to reduce malaria incidence and anemia)
- the elimination of iodine and vitamin A deficiencies.

Women's needs have also been addressed by the Expanded Programme on Immunization, National Diarrhea Diseases Programme and also under the Acute Respiratory Infection Programme.

Women's access to family planning services

Lao PDR's total fertility rate is 5.6 (Census, 1995). Urban areas demonstrate a lower level of fertility than rural areas. Based on the current fertility measure urban women have, on the average, three children less than their rural sisters (FBSS, 1995). The same survey suggests that total fertility rate declines with education level and wealth and remains the same, regardless of ethnic group.

One major factor in reducing maternal and infant mortality is to arise the average age of young women having their first births. However, the Fertility and Birth Spacing Survey (1995) shows that young women on average are marrying and birthing earlier than their mothers. In rural areas 28 percent and in urban areas 17 percent of young women ages 15-19 bear children (Census, 1995). Today's young women have their first child at 19.7 years, much earlier than their mothers who began child bearing at the median age of 22.1 years.

A significant fertility factor is also the attitude of men and women to a desirable family size and to contraceptive use. The FBSS (1995) indicates that 55 percent of married women want no more children. The desire to have more children was strongly correlated to women who had not yet given birth to three children, and thereafter the desire to limit the family size takes over. Among those desiring no more children, a large percentage are women working in agriculture, those less educated and those living in the north and central regions of the country. As yet, very little information is available on men's perceptions of contraceptives and desired number of children.

The contraceptive prevalence has grown steadily during the last four years from 4.8 percent in 1995 to 11 percent in 1998. In the urban areas the acceptance is higher than in the rural areas.

Contraceptive Acceptance and Estimated CPR by Province in 1998 [3]

Province	Acceptors	CPR
Vientiane Municipality	10,544	12.4%
Vientiane Province	3,150	6.5%
Khammuan	6,666	14.3%
Luang Prabang	4,201	7.1%
Sayaboury	1,315	2.7%
Savannakhet	13,089	11.1%
Bokeo	1,296	6.6%
Oudomxay	2,283	6.5%
Xiengkhouang	2,331	7.1%
Huaphan	3,888	9.2%
Champassak	5,378	6.2%
Saravane	3,091	6.4%
Sekong	533	4.6%

[3] IMCH National Birth Spacing Programme, 1999.

Preference for specific contraceptive method appears to vary considerably according to the geographic area. In general injectables are the most popular contraceptive method (46.5% in 1998). They were followed by oral pills (24.2%), IUDs (20.4%) and condoms (9%) (National Birth Spacing Programme IMCH MOPH, 1999).

Unlike the case of married couples, there are few venues for adolescents to receive either information or counseling about reproductive health or birth spacing. This problem is currently being addressed by providing population education classes at all levels of education establishments. This education programme will be expanded as explained under Article 10. In addition, the Lao Youth Union will target youth (both males and females) especially those out of school, aged 15-24 years. The programme will focus on sexual development, awareness raising on gender relations, child bearing and birth spacing as well as prevention of STDs and HIV/AIDS. Community based outreach approach will be applied to train peer educators. The Lao Youth Union will also explore innovative ways to provide counseling and birth spacing services for adolescents together with the Ministry of Health.

The FBSS survey showed that among the female respondents, 39 percent had knowledge of abortion, but only 3 percent had had one since 1991. According to Article 85 of the Criminal Law "*Anyone who performs an illegal abortion may be punished from 2-5 years of imprisonment. In the case of illegal abortions are being performed on a regular basis or in the case that the wrongdoers make the health of women worse or in the case that she dies. the wrongdoers may be punished by being imprisoned from five to ten years. A woman who performs or tries to perform an abortion on herself or has someone else to perform the abortion for her will be punished with imprisonment between three months to one year.*" (unofficial translation)

Hospitals, however, in recent years, have been able to establish medical criteria under which abortions are permitted. This includes pregnancy-related risk to the life of the mother, mother having at least four children already and pregnancy due to birth spacing method failure. The Lao Government is very concerned about the fact that complications of abortion are the second largest cause of maternal deaths and has therefore launched a project to provide comprehensive training for provincial and district level mother and child health care personnel to treat the complications of septic abortions.

Female and male sterilization is not, statistically, considered as being a part of birth spacing methods. However there are explicit rules governing under what conditions (e.g. parity, age, health status, socio-economic status) female sterilization may be performed and many provincial and district hospitals offer this service. Unfortunately these procedures are registered under general surgery and are not reflected in birth spacing service delivery statistics.

To promote safe motherhood and child nutrition, and to meet the rising public demand for contraception, the Government changed its pro-natalist position in 1988 to one promoting birth spacing. The National Birth Spacing Programme began in 1995 and derives its mandate from National Birth Spacing Policies approved by the Ministry of Health. Together with the Lao Women's Union a cadre of village volunteers (Community Based Distribution Workers) have been trained to advocate birth spacing in rural areas of the country. Also village level drug store and shop owners have been trained to provide basic education and some counseling for birth spacing services, as well as directly distributing condoms and oral pills to interested clients. In the future, more mobile clinics will be established to provide birth spacing services and also to provide routine services for pregnant women, post-partum women and their new-borns.

In May 1999, the State Planning Committee elaborated a final draft National Population and Development Policy and submitted it to the Cabinet of Ministers for approval. This policy directly responds to the resolution of the Lao People's Revolutionary Party Sixth Congress in 1996 which called for policy to align growth to the level of national economic development. The policy also accords with the goals and objectives of the Programme of Action adopted at the International Conference on Population and Development in Cairo in 1994 signed by the

Lao PDR. The policy draws on articles 24 and 27 of the Lao PDR Constitution (1991) that endorse gender equality in political, economic, cultural, social and family affairs and which state that women should receive equal treatment in terms of legal rights, economic and social opportunities.

The draft national population policy and development policy sets out policy goals, target indicators and implementation strategies from 2000 to 2020. The policy specifically calls for the extension of primary health care; reproductive health and family planning services to all areas of the country, especially rural areas, in order to reduce infant, maternal, under five mortality and the total fertility rate while simultaneously raising the contraceptive prevalence rate to 85 percent by 2020. The policy promotes a birth spacing interval of at least 2-3 years for the optimum health of women and an ideal mother child ration of between 2 to 4 children. The policy also elaborates targets in female literacy and enrolment rates for girl students to the year 2020 and advocates enhanced population data collection to guide policy, planning and implementation of population activities.

Sexually transmitted diseases and HIV/AIDS

There is a cause for concern about HIV given that the Lao PDR borders three countries having the highest HIV rates in Asia: Cambodia, Burma and Thailand. According to the most recent information available (June 1999) the cumulative number of people identified with HIV was 420 of which 46 percent were male and 35 percent were female. 19 percent of the tested people did not want to be identified and thus that data can not be disaggregated by sex. While this figure appears to be relatively low, a national sero-surveillance system is just being established at the present time, and there is growing anecdotal evidence to suggest that the HIV epidemic may now be beginning in earnest in the Lao PDR. This includes:

- infection rates of over 6 percent in almost 1000 young people tested after returning from seasonal work in Thailand (unfortunately information not disaggregated by sex);
- evidence of increasing rates of infection among people not thought most at risk, including married women and others who have never travelled outside the country;
- increase in bar work and workers driven by a combination of economic hardship, increased demand for migrant workers in large public infrastructure projects and business companies, and an increase in opportunity as roads improve and Lao PDR opens up to it's neighbours.

High quality affordable condoms, a primary means of prevention, are not often available when and where they are needed, and condom use in the Lao PDR has traditionally been low. According to a survey conducted amongst both rural and urban women (NBSS, 1995) among ever married women 98 percent of urban women had heard of HIV but only 48 of rural women had heard of HIV. According to a more recent study (1999) conducted in the capital area the most frequently stated reason for respondents not using condoms was 'trust in partner' (40%) followed by 'lack of availability' (27%) and 'dislike of condoms' (13%). More women (37%) state the lack of availability of condoms as a reason for non-use than men (30%) do. According to this study only 37% of women had ever used a condom. Hardly surprising number since 56 percent of men and 59 percent of women feel that a woman who carries a condom is loose/cheap. Also 63 percent of all the respondents believe that the 'decision to use a condom is made by the man'.

There appears to be a general lack of knowledge among men and women of all age groups as to the various causes of STDs, risks associated with certain sexual behaviour, and appropriate health interventions to take when confronted by specific symptoms of disease. Alarmed by this, an ad hoc working group consisting of specialists from different ministries developed a draft "National Policy and Strategy for the Prevention and Care of STDs". The Minister of Health endorsed this policy in June 1998. One of the reasons identified in the draft policy affecting the increase of STD transmission was gender disparities which put women at particular high risk due to lack of knowledge, their overall position in the community and the family, and their limited ability to negotiate with men regarding safe sex practices.

Currently there are National programmes both to combat HIV/AIDS and STDs. The Lao PDR HIV/AIDS Trust was established in 1998 to coordinate and mobilize resources and facilitate the management of the national HIV/AIDS programme. One component of the HIV/AIDS programme is implemented by the Lao Women's Union and will specifically address the needs of female population related to HIV/AIDS awareness raising and prevention. In terms of condom availability a condom social marketing programme has just been launched in the Lao PDR and the programme has been able to distribute over 1,000,000 condoms within one year throughout the country. One component of the National STD programme addresses especially vulnerable groups including women through community outreach done by NGOs.

ARTICLE 13 Social and Economic Benefits

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

(a) The right to family benefits;
(b) The right to bank loans, mortgages and other forms of financial credit;
(c) The right to participate in recreational activities, sports and in all aspects of cultural life.

Women's right to family benefits

Under the Article 11 Employment, women's entitlement to maternity leave has been discussed in detail. Article 35 of the Labour Law (1994) states "*Before or after confinement, women workers shall be entitled to at least 90 days of maternity leave with their normal pay from their employers or from the social security fund, if contributions have been fully paid to this fund. Such period of maternity leave shall include post-maternity leave of at least 42 days...During the 12-month period following confinement, women workers shall have the right to a daily break of one hour to nurse or to take care of their child if they place their child in a nursery or bring the child to the workplace.*" Women are also entitled to a one-time cash benefit equal to at least 60 percent of the minimum wage established by the Government on giving birth to a child according to Article 36 of the Labour Law (1994). Women are the sole beneficiaries of these benefits and the benefits are paid to them directly.

As discussed under Article 11 Employment, Article 48 of the Labour Law states "*each labour unit in the socio-economic sectors shall establish a social security fund or pay to a compensation fund to ensure the living standards of its workers in accordance with the social security system. Workers and employers shall contribute to the social security fund in accordance with regulations adopted by the Government.*" In practice, however, the social security fund has been operational only since 1996 and, to date, 5,150 females and 7,910 males are contributing to a pension fund, 135 females and 1,455 males to the orphan fund and 270 females and 2,545 males to the disability fund. These figures concern the public sector employees at this point of time and the social security fund for the private sector will be active in 2001. Both public and private sector funds are and will be available for both women and men engaged in wage labour.

At this point of time there are no other forms of family benefits available either for Lao women or men.

Women's right to bank loans, mortgages and other forms of financial credit

Article 7 of the Property Law (1990) states "*Ability in conduct designates the ability through its own acts to create civil rights and obligations to itself. Any person will be considered as possessing the ability to conduct when more than 18 years old and in control of his/her mental capacities. A person under eighteen years of age but legally married will be considered as possessing the ability to conduct.*" Article 46 of the same law states that

loan is one form of contract and the same conditions that apply in conducting any contract apply when conducting a loan. Thus both men and women have equal right to make contracts and to take loans and to administer these contracts.

Regulation No. 5 on the Credit Policies of Commercial Banks and Financial Institutions (1996) defines the conditions under which commercial banks and other financial institutions can issue loans, and establishes women's right in equal terms with men to loans issued by banks and other financial institutions.

Traditionally, Lao people share a certain pride in being self-sufficient in life. The concept of borrowing is considered inappropriate. Credit and finance schemes are relatively new phenomena in the Lao PDR and only since 1992 the number of financial institutions and banks has increased. There are four autonomous but government owned banks in the Lao PDR and most Thai banks have a branch in the capital, Vientiane.

A 1995 survey of small enterprises (Minot) found that women owned and operated 63 percent of the 25,000 registered small businesses. Women represent 57 percent of the workforce in this sector, which contributes about nine percent to the GDP. Around 22 percent of women's businesses have credit as opposed to 7 percent of male enterprises. However, women's loans are mostly obtained outside the formal banking sector.

According to a GTZ (1996) study, Lao women do not like to go through formalities to get loans and feel too shy to enter a banking institution at all. Culturally, they feel it is shameful to borrow money and they fear that people will discover that they are in debt. According to LWU (1998) study women also need a signature of 'a family representative' who is always a man in order to obtain a formal bank loan. Official banks also tend to charge high interest rates. Women prefer to get a loan quickly from moneylenders who do not ask questions or join an informal savings or credit group. Women, especially in the rural areas, also lack collateral or do not have access to legally recognized assets that can be used as collateral. Following informal channels of credit are open for women:

Rotating fund groups: A traditional form of credit that has existed in the Lao PDR for generations. It is based on the idea that a group of people decides to share their money. The number of group meetings should be equal to the number of group members. At every meeting one person among the group can take 'shared money' for his/her own use. Each member can take money out only once. The group is always headed by a respected female having a good reputation in money matters and who ensures that other members of the group are honest people. For the whole cycle every member will pay the same amount forming finally the total loan sum to be shared out. The interest calculation can take two forms:

Grace shared money:	there is no interest to be paid by shared money takers; this is especially practiced among friends/co-workers at the same work place
Shared money with Interest:	Based on the general mechanism as mentioned above, there is the opportunity for group members to get more money from the sharing cycle than invested. Every shared money taker, after having taken his/her share, has to pay the repayment and the interest to the next shared money taker. According to this mechanism, the last loan taker will gain more than the others and the first taker loses because there is no previous share taker. The rate of interest is fixed at the bottom line, but can be negotiated according to demand.

This system of informal credit is common amongst traders at the market and also amongst some female manufacturers and home-based shops owners.

Household to household loans: This type of loan is issued by wealthier people to women owned businesses, friends and neighbours. The collateral used includes cars, houses and land. Interest rate is about 3-5 percent.

Moneylenders: This system is used widely among traders at the market. It is a bilateral agreement between the lender and the loan taker. The lender gives a sum of money to a loanee, the repayment is daily with a usually high interest rate. The interest rate, the duration of repayment and the daily installments are negotiated between the lender and the loan taker.

Most of Lao businesses owned by women have one of these types of loans. The procedures are not too complicated and a signature of a formal household head is not needed.

Lately, semi-formal credit has been available also for women. This is based on the idea that a main loan taker will redistribute a loan from a formal banking institution amongst women with small-scale business or trading activity. These women can either redistribute the money to gain profit through accumulated interest rates or keep the money for their own business purposes. The interest rate is between 10-20 percent.

Also the Lao Women's Union, the Ministry of Industry and Handicrafts and the Ministry of Agriculture and Forestry act as intermediaries in delivering loans and revolving funds to various groups of people especially in the rural areas. No collateral is required and interest rate is low (5-12%). These types of new incentives seem to attract women. For example, in the northern province of Sayaboury, the clientele of a micro finance programme consists 85 percent of women. (UNCDF, 1999)

The Lao Women's Union wants to encourage women's role as small-scale entrepreneurs and has launched a programme to train women in entrepreneurs skills by giving them practical and programmatic support including small-scale loans and revolving funds. The programme is effective 1998-2003.

Women's right to participate in recreational activities, sports and in all aspects of cultural life

The number of teachers specialized in physical education across the country is 373 and 38 of them are women. At primary and secondary schools, both boys and girls participate equally in physical education. The curriculum is the same for both the girls and the boys and the children play football, volleyball, badminton, and other team sports of similar kind.

After school hours, according to National Sports Committee statistics, approximately 5,000 men and 1,500 women jog as their free time activity. According to the same statistics, women and girls tend to favour basketball and volleyball in their leisure time whereas men and boys are more eager to play football and exercise in self-defense sports like karate and Lao traditional boxing. In the traditional Buddhist lent boat race, which takes place annually, around 600 males and 200 females participate each year.

Selected Sports Statistics in Division A in 1998

	Male	Female
Football	300	108
Volleyball	240	120
Table tennis	100	60
Lao traditional boxing	80	
Cycling	60	20
Tennis	60	30
Swimming	40	20
Taekwondo	60	15

These statistics show that women and girls are not as active as men and boys in getting involved in semi-professional and professional sports. This is further confirmed by the ratio of men and women that participated in the 13th Asian Games in 1998, since 96 athletes were men and 19 were women. Further research is needed to determine why girls and women do not seem to pursue their sport hobbies to professional level.

Women are able to participate equally with men in the cultural aspects of life in the Lao PDR. One characteristic of cultural life that is reserved almost exclusively for women is the traditional Lao dance. Women play a very important role in passing this dance from generation to generation as teachers and preservers of the dance.

The Ministry of Information and Culture has a total staff of 2,646 out of which 741 are women.

ARTICLE 14 Rural Women

1. *State Parties shall take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non-monetized sectors of the economy and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.*

2. *States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on the basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:*

(a) To participate in the elaboration and implementation of development planning at all levels;
(b) To have access to adequate health care facilities, including information, counseling and services in family planning;
(c) To benefit directly from social security programmes;
(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as inter alia, *the benefit of all community and extension services, in order to increase their technical proficiency;*
(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;
(f) To participate in all community activities;
(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

National Population and Development Policy of Lao PDR: Status of Ethnic Populations

To reduce socio-economic disparities, measures will be taken to provide opportunities for education, health care and other social services through out the country:

- Encourage data collection and research activities on the socio-economic conditions of ethnic populations and their cultural dimensions to increase the availability of information to use in planning, policy making, program implementation and monitoring.
- Organise campaigns in order to encourage various ethnic populations to send their girls children to school and keep them longer in the school system, and on the importance to at least complete primary education.
- Take measures to enable ethnic populations to access reproductive health and primary health care services.

- Encourage Mass Organisations such as the Lao Women's Union, the Lao Front for National Construction, the Lao Youth Union and other organizations to participate in IEC activities on population and development issues for ethnic populations.

Rural development is of crucial importance in the overall development planning of the Lao PDR since, according to the 1995 Census, 17 percent of the inhabitants are residing in the urban areas and 83 percent in the rural areas of the country. The definition of an urban area is based on the following criteria. To be classified as an urban village, the village must satisfy at least three of the five conditions below. Any village that does not fulfill these criteria is considered to be a rural village: there is a market in the village; there is a road for motor vehicles to access the village; the village lies in the municipal vicinity where the district or provincial authority is located; the majority of households in the village have access to electricity; there is a tap water supply to most of the houses.

In the Lao PDR, the role of women in rural development is crucial. Women are responsible for a large part of agricultural work and provide more labour force to rice cultivation than men. In rural areas, farming is the main activity for almost 91 percent of males and over 94 percent of females (World Bank, 1995).

Women and men have different roles in agriculture and perform different kinds of tasks. The large majority of Lao PDR's agricultural producers are subsistence producers, with very low incomes and the ownership of paddy land is crucial for survival. Women's role in rice cultivation is essential as glutinous rice production usually takes the following pattern: men plough, make bounds and prepare seedbeds, women transplant rice, weed, harvest, thresh and carry out other post harvest operations.

In addition to the usual household chores, rural women are responsible for 50%-70% of paddy and upland rice growing, 50 percent of household's animal husbandry work (pigs, chicken, ducks and geese); 30%-50% of fishing; at least 50 percent of cash crop production; 70 percent of opium production in the ethnic minority villages; a large proportion of household vegetable gardening; fabric dying, basketry and housing construction. (ADB, 1996; Schenk-Sendbergen etc, 1995). In addition, collection of firewood and other forest products takes up a lot of women's time. About 93 percent of Lao households use wood as a source of fuel for cooking (Census, 1995). A woman who collects wood for a family of 5-6 must carry 120-150 loads of wood per year. Each load, carried on the back or shoulder, weights 15-20 kilos and uses 1-3 hours of walking and cutting time (GRID, 1999).

Mechanization of rural activities is one area, which tends to increase male dominance in agriculture. In the rural areas of the country, the farmers are slowly changing the buffalo to power tiller or to a small tractor. This causes a change in the division of labour because the general attitude is that only men can work with the more technical power tiller. The power tiller is used for ploughing and it is useful in carrying wood, water and crops. Men tend to have more power in decision-making and therefore women's impact in rice cultivation might decrease in this scenario. Women have traditionally nurtured the soil by using organic droppings. The use of chemical fertilizers and other inputs are being introduced along with tractors and these modern technological innovations are considered "men's affairs". Women are however expected to contribute in covering the cost of these new innovations. (Schenk-Sandbergen, 1996)

Rural women's access to health care and family planning services

According to the first national study in adult female mortality (1994) about one-third of all urban women had died in the hospital or in their way to hospital, as opposed to less than one-eight of the rural women. Education, ethnicity and economic status all affect to women's willingness to use modern medical facilities. The gap in medical services and personnel between rural and urban areas has become stark. In rural and remote areas, where the need majority of the poorest and least healthy families live, the professional health network is still weak. While urban residents enjoy nearly

100 percent access to nearby hospitals and medical practitioners, 70 percent of the rural families are more than 3 km from a hospital, clinic or dispensary. Access and availability to health services is restricted by poor infrastructure: 49 percent of rural villages are 2-3 days from health services. Out of 117 district hospitals, only 20 are reported as fully operational. Vientiane residents have nine times more doctors per person than the rest of the country, as well as four times more mid-level staff and nearly twice the lower level staff. Over 50 percent of the country's doctors service 10 percent of the population that live in Vientiane (World Bank, 1995).

The rural population face extraordinary barriers to good health due to shortage of modern health care facilities. Language barriers exist for ethnic minority women who are also illiterate.

Regarding the choice of health care provider in the Lao PDR, almost 60 percent of adults and children report seeking care from pharmacies. Only 12 percent on average visit modern facilities. Traditional health care is reported by 17% of the population and 13 percent report to have no care. In rural Lao PDR the use of pharmacies and traditional healers amounts to 75 percent of people who reported seeking health care (World Bank, 1995).

The major causes for maternal mortality (660/100.000) are the absence of pre-natal, delivery and post-natal care that are accessible, available and acceptable. Considering that a majority of high-risk factors can be identified and managed during the first antenatal visit, even one visit could save mother's life. However, only one of every four women visits a pre-natal care facility. Attitudes and accessibility are constant deterrents. An average rural family lives 11-15 km from the nearest public health facility (NSC, LECS/LSIS, 1993). Rural pregnant women often lack transport and money for the travel and services (MOPH/WHO/UNICEF/JICA, 1995).

Type of Assistance at Child Delivery, Urban and Rural (LECS, LSIS, 1993)

NO HELP	FRIEND/RELATIVE	HEALER/MIDWIFE	MODERN
urban/rural	urban/rural	urban/rural	urban/rural
21%/42%	23%/34%	29%/21%	27%/3%

Assistance at birth varies widely in the Lao PDR by location. In urban areas, the use of modern health care for child delivery is much higher, 27 percent and it increases substantially with income levels. In rural areas, modern health care is low among all income groups. Only 17 percent of ever-married women aged 15-49 years had received at least three shots of Tetanus vaccination, an immunization that can save mother's life at birth.

Lao PDR's total fertility rate is 5.6 (Census, 1995). Urban areas demonstrate a lower level of fertility than rural areas. Based on the current fertility measure, urban women have, on the average, three children less than their rural sisters (FBSS, 1995). The same survey suggests that total fertility rate declines with education level and wealth and remains the same, regardless of ethnic group.

The contraceptive prevalence has grown steadily during the last four years from 4.8 percent in 1995 to 11 percent in 1998. In the urban areas the acceptance is higher than in the rural areas.

Contraceptive Acceptance and Estimated CPR by Province in 1998[4]

Province	Acceptors	CPR
Vientiane Municipality	10,544	12.4%
Vientiane Province	3,150	6.5%
Khammuan	6,666	14.3%
Luang Prabang	4,201	7.1%
Sayaboury	1,315	2.7%
Savannakhet	13,089	11.1%
Bokeo	1,296	6.6%
Oudomxay	2,283	6.5%
Xiengkhouang	2,331	7.1%
Huaphan	3,888	9.2%
Champassak	5,378	6.2%
Saravane	3,091	6.4%
Sekong	533	4.6%

Preference for specific contraceptive method appears to vary considerably according to the geographic area. In general, injectables are the most popular contraceptive method (46.5% in 1998). They were followed by oral pills (24.2%), IUDs (20.4%) and condoms (9%) (National Birth Spacing Programme IMCH MOPH, 1999).

Rural women's access to education

According to the 1995 Census, the over-all literacy rate for the Lao PDR was 60 percent, i.e. six out of the population aged 15 years and above could read and write in Lao. The literacy rate was highest in the capital area, where 15 percent of the population aged 15 years and above could read. The literacy rate for men was much higher than for women, 74 and 48 percent respectively. There were also differences between urban and rural areas in this respect. While the literacy rate in urban areas was 85 percent, the rate was slightly lower than 55 percent in the rural areas. The literacy rate is especially worrying amongst the ethnic minority women:

	% of literate females	**% of literate males**
Lao	66.12%	86.03%
Khmu	22.71%	60.76%
Hmong	8.10%	45.65%
Akha	0.74%	7.01%

Most important gains in terms of literacy have been achieved amongst the urban women followed by females in the rural areas. Yet a lot remains to be done.

[4] IMCH National Birth Spacing Programme, 1999.

Female Illiteracy Rate for Two Age Groups by Region (LECS, 1992/93)

Region	36-55 Years old	18-35 Years old
Urban	36%	7%
Rural	76%	43%

Gross enrollment ratio for primary and secondary school students reveal wide geographical differences also indicating serious disparities between rural North and South compared to the more urban Central.

Net Enrollment Rates for Primary and Lower Secondary Schools by Gender and by Region[5]

	Males	Females	Total
Primary Enrollment			
Region			
North	54%	49%	51%
Center	71%	66%	69%
South	53%	49%	51%
TOTAL	62%	57%	60%
Lower Secondary Enrollment			
Region			
North	13%	11%	12%
Center	17%	18%	17%
South	15%	11%	13%
TOTAL	15%	15%	15%

Rural women's access to agricultural credits and loans

A 1995 survey of small enterprises found that women owned and operated 63 percent of the 25,000 registered small businesses. Women represent 57 percent of the workforce in this sector, which contributes about nine percent to the GDP. Over three-quarters of the small and medium-size enterprises are located in the rural areas and about 13 percent are located in the five largest cities. However, female entrepreneurs are more concentrated in the urban areas (73%) than in the rural areas (61%) (Minot, 1995). Women's income generating activities in the rural areas provide an important source of cash income to families otherwise living out of subsistence farming.

Also the Lao Women's Union, the Ministry of Industry and Handicrafts and the Ministry of Agriculture and Forestry act as intermediaries in delivering loans and revolving funds to various groups of people especially in the rural areas. No collateral is required and interest rate is low (5-12%). For example, in the northern province of Sayaboury, the clientele of a micro finance programme consists 85 percent of women (UNCDF, 1999).

Rural women and land reform

During the 1990s, the Government has carried out in the programme to allocate land titles (permanent documents certifying the legal ownership of land by the owner — the person whose name is on the document). The results of the survey on the Situation of Women carried out in four locations of the country by the Lao Women's Union Gender

[5] Source: LECS, 1992/93.

Resource Information and Development Centre (1998), show the difference between the numbers concerning the origin of the land and the name of the owner of the land which is declared on the land document.

The results clearly show that, aside from the common property attained during marriage, the percentage of land that women receive from their families is greater than the percentage of land that men receive. This finding corresponds with the reality of Lao society, in which daughters make up a majority of those who inherit from their parents. In connection with this, in the majority of Lao society, the husband moves in with the wife's family after marriage, since it is the daughter who will look after the parents throughout their lives, and will also inherit the land and house of her parents. This matrilineal tradition is a special tradition of Lao society, which acknowledges the value of caring for the mother and father until their death and of carrying out the appropriate funeral rites after their death.

Origin of the Land			Name on the Land Document		
	#	%		#	%
Husband's Family	798	18%	Husband's Name	2470	58%
Wife's Family	1254	30%	Wife's Name	696	16%
Common property	2203	52%	Both Names	279	7%

However, as a consequence of the land titling process, this matrilineal inheritance pattern is slowly changing. When comparing the origin of the land with the registration of permanent land rights, in 58 percent of the cases only the husband's name appears on the land document, even though originally only 18% of the land belongs to them. As for the women's land, only 16% is registered in her name, although women originally own 30% of the land. This means that the registration of the land right of women is correct only 52% of the time. It seems clear that the remaining 48% of the land has fallen under the name of the husband. As for the land which is originally common property, 52 percent of the land, the percentage showing both the husband's and wife's name, is extremely small, only 7 percent. This means that only 13 percent of this land is correctly registered. This also means that 87 percent, the reminder of this land, is registered in the husband's name alone.

Rural women's access to water supply, irrigation and infrastructure

Rural water supply and sanitation coverage increased dramatically between 1992 and 1996. These achievements derived from improved service delivery and advocacy. Several types of drinking water systems have been installed. There is also an increased recognition that environment sanitation is an essential component for hygiene and Water and Environment Sanitation programme is running successfully in different parts of rural Laos (UNICEF, 1996).

Irrigation is essential for rice cultivators to ensure stable production and to provide income from additional crops. In recent years, the responsibility of irrigation schemes has gradually been transferred to the farmers themselves. Water user organizations have been formed to regulate the irrigation schemes. Women's participation in the decision making of the Water User Organizations (WUO) would be essential since women carry out a big workload relating to rice cultivation. Women also need water for cleaning, bathing and general household use. According to a study (Schenk-Sandbergen, 1995) women have, to some extent, been excluded from the decision making of the WUOs. Due to this, the irrigation schemes in some parts of rural Laos do not service the needs of women and the women still need to walk long distances in order to fetch household and drinking water for their families, even though the village has access to an irrigation scheme.

As far as the infrastructure development in the Lao PDR is concerned, the country still faces severe constraints. About 1/3 of all villages and 22 percent of the population are in the rural areas, which are not accessible by truck,

only 11 percent of the population lives in villages with access to electricity and only 7 percent of villages with a permanent market (World Bank, 1995).

Government measures to eliminate discrimination against women in rural areas

The Government of the Lao PDR is very concerned about the state of the development of rural areas across the country. To change the current situation for the better, the Government has launched a Rural Development Programme as one of the eight priority programmes for the Government. The stated objectives of the Rural Development Programme are to: alleviate poverty among rural populations in remote areas; provide food security; promote commercialization of agriculture production; improve access to development services. The Programme makes a special provision for ethnic cultural promotion and gender in development.

To promote rural development in a systematic way, the Government formally established a Leading Committee for Rural Development and outlined its roles and responsibilities (Decree 40, November 1994). The same Decree also called for the establishment of Provincial Development Committees (PDC) to be set up with the Provincial Vice-Governor as their chair. The State Planning Committee has emphasized the importance of genuine local participation in the work of Provincial Rural Development Committees and has especially mentioned the role of the Lao Women's Union as an important source of local knowledge (The Rural Development Programme 1998-2002, Focal Site Strategy). The Rural Development Programme calls for village volunteers to mobilize the villagers and to assist in the management of village activities. Representative of the Lao Women's Union is to participate in the work of the village group.

The Rural Development Programme links to other national development programmes in order to avoid duplication of scarce resources. These programmes, that all make specific provisions to women, include: the National Nutrition Action Plan, the National Population Policy, the National Water and Sanitation Programme and the National Human Resource Programme.

Measures to guarantee rural women equal access to health and family planning services

The Government of the Lao PDR has recognized the severe problems related to mortality of women and children especially in remote areas of the country and has launched a programme to combat the worrying trend. The Government has set a target to reduce maternal mortality rate to 400/100,000 by the year 2000. To achieve this objective, the Safer Motherhood programme will contribute towards:

- ensuring access to and utilization of quality antenatal, delivery and postnatal care for at least 50 percent of all women, and the referral to hospital for high risk pregnancies and obstetric emergencies;
- the promotion of exclusive breast-feeding up to four months (at least 80% of women);
- the promotion of breast-feeding within 30 minutes after birth to reduce postpartum hemorrhage (at least 80% of women);
- the promotion of impregnated nets (at least 80% of women sleep under impregnated nets to reduce malaria incidence and anemia);
- the elimination of iodine and vitamin A deficiencies;
- ensuring access to family planning information for all couples and to family planning services for at least 75 percent of the couples;
- reduce iron deficiency anemia among women aged 15-45 by one-third.

Women's needs have also been addressed by the Expanded Programme on Immunization, the National Diarrhea Diseases Programme and, also, under the Acute Respiratory Infection Programme.

The draft national population policy and development policy sets out policy goals, target indicators and implementation strategies from 2000 to 2020. The policy specifically calls for the extension of primary health care, reproductive health and family planning services to all areas of the country, especially rural areas, in order to reduce infant, maternal, under five mortality and the total fertility rate while simultaneously raising the contraceptive prevalence rate to 85 percent by 2020. The policy promotes a birth spacing interval of at least 2-3 years for the optimum health of women and an ideal mother child ration of between 2 to 4 children. The policy also elaborates targets in female literacy and enrollment rates for girl students to the year 2020 and advocates enhanced population data collection to guide policy, planning and implementation of population activities.

Measures to guarantee rural women equal access to formal and non-formal education

In terms of education, the Government has set specific targets for rural girls and women's enrollment as discussed under the Article 10 Education. The non-formal education efforts of the Government are targeted at seven primary target groups and women, particularly those in rural areas, who are insufficiently educated are to receive education concerning family health and safe motherhood.

To achieve this, the education budget has been increased from 8,3 percent of the total government budget in 1990 to approximately 12 percent.

To specifically target the educational needs of girls and women, the Government has started a Women's Education project. The project is developed to increase the gender and ethnic sensitivity of the formal school system, especially by contributing to integration of the three main systems of education at the village level (indigenous traditional learning systems, non-formal education, and formal education or schooling) and improved vertical and horizontal integration and coordination within the education system itself. The project activities, which include special provisions to enhance the educational conditions of the rural women, is scheduled to take place throughout the country and to be completed by 2005.

In terms of reaching educational sustainability, the project will:

- improve co-ordination, strategic planning, policy formation and the distribution of resources within education;
- enhance provincial and district coordination and integration of national policy objectives with local conditions.

In terms of providing access for education, the project will:

- increase the access of girls and ethnic minorities to educational facilities, including 200 new primary schools and six primary boarding schools;
- develop a common understanding among schools, families, communities, religious institutions and local education authorities about education and socio-cultural realities;
- develop a practical methodology for minimizing socio-economic impediments to schooling girls; and develop a structure, action plan and sustainable means to address economic and financial constraints of families of girls and ethnic minorities in poor and isolated areas.

Measures to guarantee rural women equal access to loans, technology and facilitate rural women's workloads

In terms of rural women's access to loans, the Lao Women's Union wants to encourage women's role as small-scale entrepreneurs and has launched a programme to train women in entrepreneur's skills by giving them

practical and programmatic support including small-scale loans and revolving funds. The programme is effective 1998-2003 and is operating in 17 provinces of the Lao PDR.

In order to reduce the heavy workload of rural women, the Lao Women's Union has launched a programme to train women in the use of modern agricultural technology in ten remote provinces of the country. Women will be trained in the use and installation of rice mills, latrines, water pumps and traditional wells. As far as the irrigation schemes are concerned, gender training will be organized on a pilot basis in selected irrigation schemes in order to increase the understanding of the extension workers on the role of women in agriculture in general and in irrigation in particular. The Department of Forestry has also launched a gender mainstreaming programme and a gender development unit has been established within the department with the aim to give training on gender sensitive forestry management to the department staff.

The Lao National Mekong River Commission has launched a National Gender Action Plan to enhance the skills, knowledge and attitudes in gender sensitivity in the Mekong water and related resources sectors and organizations in the Lao PDR, through a series of training and awareness raising activities. Data collection forms an integral part of the gender programme.

In terms to change the worrying shift in the land allocation process, the Lao Women's Union has organized seminars on Lao law for its representatives around the country. One of the topics touched upon has been the land allocation process and the rights of the Lao women in this process.

ARTICLE 15 Equality before the Law and in Civil Matters

1. *States Parties shall accord to women equality with men before the law.*

2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. They shall in particular give women equal rights to conclude contracts and to administer property and treat them equally in all stages of procedure in courts and tribunals.*

3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect, which is directed at restricting the legal capacity of women, shall be deemed null and void.*

4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

Women's equality with men before the law

In Constitutional terms, Lao women and men have equal rights and obligations in front of the Lao law and women do not have any limitations to exercise these rights. Article 22 of the Constitution (1991) states "*Lao citizens, irrespective of their sex, social status, education, faith and ethnic group are all equal before the law.*" Article 24 of the Constitution "*Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs*" further enforces this message. Article 2 of the Penal Code states that all individuals assume penal responsibilities and will be liable to penalties.

There are no special defenses that would apply only to women in the Lao law. However, the Penal Code grants special concessions to women under specific circumstances. Article 36 of the Penal Code 'Causes conducive to the mitigation of penal responsibilities' states that female offenders who are pregnant can be mitigated of penal responsibilities. Articles 29 and 30 of the Penal Code further state that "*Life imprisonment might not be sentenced... on women in a state of pregnancy...*" and "*It is forbidden to inflict death sentence on ...women in a*

state of pregnancy at the time the infraction is committed or when the court brings decision or the sentence is sanctioned." (unofficial translation) Article 34 of the Penal Code also states "*The sentence of house arrest may not be sanctioned on women in a state of pregnancy or women in charge of small children of less than eight years old at the tim.e when the infraction is committed*" (unofficial translation).

There is one legal concept in the Penal Code that only refers to women. According to Article 119 of the Penal Code only women can be the victims of rape. The Article states "*Any individual making use of force, threats of arms, drugs or methods resulting in the state of helplessness of a woman who is not his wife in order to undertake acts of rape against the woman's will, is punishable of three to five years of imprisonment.*" *(unofficial translation)*

These rights granted for women by the Constitution and by the legal system are to be exercised by the village level administration. The Local Administration law grants the village chief and his/her deputy's powers to apply Lao laws at the village level. The village chief is responsible for ensuring the enforcement of the laws, regulations and instructions issued by the higher authorities. The village chief is also the peacekeeper at the grass roots. He or she is the arbitrator in conflicts between villagers. The village chief is thus an important element in the Lao legal system. All the offences committed by the villagers go through the village mediation system first and only if satisfying solutions cannot be found at this level, the cases go to the District Court.

Women are also under-represented in the bodies applying laws at the grass root level. There are 14 female village chiefs out of the total of 8,505. The village chief has a deputy village chief to assist him or her in his or her tasks. Out of 12,491 deputy village chiefs 101 are women. The village committee assists the village chief and his/her deputies in their tasks on consultative basis. Members of the Committee can also act as arbitrators in disputes. The Representative of the Lao Women's Union is always a member of the village council, but often is the only female representative in the local administration.

There is still an extreme shortage of trained legal personnel in the country. Trained female legal professionals are even more rare, as can be seen from the following chart.

Judges and Legal Officers Serving the Lao Legal System in 1998[6]

	Total	Male	Female
People's Supreme Court	19	17	2
Provincial Courts	86	78	8
District Courts	168	157	11
Public Prosecutor at Central Level	28	25	3
Local Prosecutors	106	93	13
Members of the Bar Association	27	26	1

The Ministry of Justice is starting a programme to improve the capabilities of the judiciary system of the country and one component of the programme is to include gender training for the curriculum of the law students. Gender training will also be given for the crime investigators and judges working in the Supreme Court. Big part of the programme consists of awareness raising activities at the grass-root levels targeted especially at women and ethnic minorities to inform them on the rights guaranteed for them by the Lao laws.

[6] Source: Ministry of Justice.

Women's equal rights with men in civil matters

Article 7 of the Property Law (1990) states *"Ability in conduct designates the ability through its own acts to create civil rights and obligations to itself. Any person will be considered as possessing the ability in conduct when more than 18 years old and in control of his/her mental capacities. A person under eighteen years of age but legally married will be considered as possessing the ability to conduct."* Article 46 of the same law states that loan is one form of contract and the same conditions that apply in conducting any contract apply when conducting a loan. Thus both men and women have equal right to make contracts and to take loans and to administer these contracts. Regulation No 5 on the Credit Policies of Commercial Banks and Financial Institutions (1996) defines the conditions under which commercial banks and other financial institutions can issue loans and establishes women's right in equal terms with men to loans issued by banks and other financial institutions. In practice, though, financial banks ask for the signature of the head of the household, who is almost always a male, before issuing a loan (LWU, 1998).

Fundamental civil rights such as the right to possession and the right to inherit are recognized by the 1991 Constitution in Article 15 and embodied in the 1990 Property Law in Article 20 and especially in Article 26, which states *"Conjugal property are the assets gained by the married couple during their married life, except for the personal items of low value. Husband and wife have equal rights over conjugal property notwithstanding who actually acquired the asset. Assets belonging to the husband or wife prior to their marriage or received through inheritance or granted specifically to the husband or the wife during their married life will not be considered as conjugal property"*. Article 27 of the Family Law (1990) states *"Husband and wife have equal rights over acquired assets independently of the fact whether the estate was acquired by the husband or by the wife. Husband and wife have the right to use the acquired assets in accordance with the requirements of the family. Prior mutual consent must be obtained on the right of usufruct and of decision over acquired assets."*

The Article 6 in the Inheritance law (1990) does not make any difference between the right of a girl or a boy child to inherit but specifically stipulates that *"relative of horizontal lineage: older and younger brothers, sisters or, paternal uncles and aunts, maternal uncles and aunts or nephews and nieces"* have a right to inherit if the owner of the heritage has no child or a spouse. Article 43 of the same law gives equal rights to both men and women to execute the will.

Women's equal rights with men to choose their residence and domicile

Article 27 of the Constitution (1991) states *"Lao citizens have freedom of movement and residence as prescribed by the law"*. Article 14 of the Family Law further states: *"The selection of the family's place of residence is commonly decided by the married couple"*.

In reality, different ethnic groups in the Lao PDR have different family structures, which, in turn determine the family's place of residence. In the main Lao group (Lao Loum) the mode of living is principally matrilineal and the youngest daughter normally inherits the land and the couple traditionally stays in the wife's parents household. Sons marry outside the family and live with their in-laws. In the Lao Theung group, one can find mostly bilineal and, to some extent, patrilineal family structures and the young couple can either stay in the village of the bride or move to the village of the groom. In the Hmong group, the typical patrilineal structure can be found. The male children inherit the land and women go to live with their husbands. The women's status is more subordinate than in the main Lao and Lao Theung group, as the women do not have the support of their own kin groups.

ARTICLE 16 Equality in Marriage and Family Law

1. *States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular to ensure, on a basis of equality of men and women:*

   (a) The same right to enter into marriage;
   (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;
   (c) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;
   (d) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;
   (e) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;
   (f) The same personal rights as husband and wife, including the right to choose a family name, a profession and occupation;
   (g) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

2. *The betrothal and the marriage of a child shall have no legal effect and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

Article 3 of the Family Law (1990) addresses the freedom to marry and states *"Men and women reaching the age of marriage have the right to marry on the basis of will, freedom and love. It is forbidden to force or hinder other individuals marriage*". Article 9 sets the conditions for marriage "*Men and women have the right to marry from eighteen years old. In special and necessary cases, this limit may be lowered down to no less than fifteen years old. Marriage must be based on mutual consent and will from both sides without coercion from any side or individual.*" Article 2 further states "*Men and women have equal rights in all aspects pertaining to family relations. Family relations arise independently from the origins, economic and social status, nationality, ethnic group, cultural level, occupation, religion, place of residence and other*". Article 4 addresses monogamy stating "*Marriage is governed by the monogamic system.*"

Article 1 of the Family Law (1990) states that one of the aims of the law is to "*establish matrimonial family relations based on will and equality between men and women*". The message is further strengthened by Articles 13 "*Husband and wife have equal rights in all aspects within the family. Husband and wife jointly decide on internal family matters. Spouses have the duty to love, respect, care and assist each other, to jointly care for and educate the children, to build the family into solidary happy and progressive family*" and by Article 14 "*Husband and wife have the right to lead political, economic, cultural and social activities*".

Article 20 of the Family Law states the causes for divorce and gives men and women the same rights to ask for divorce. Article 22 further states that "*A husband does not have the right to ask for divorce during his wife's pregnancy or when a newly born child has not reached the age of one year.*" Article 23 addressed the guardianship of the children stating "*If husband and wife might not agree on the guardianship of children after divorce, the court will decide whether the father or mother will take care of them by taking into consideration the children's interest. A divorced couple must care for and educate their children. The court will decide on child alimony to be provided until their maturity based on the agreement between husband and wife or based on the*

court decision in case agreement may not be reached between husband and wife." Article 24 grants both spouses equal rights to ask for alimony in the case of divorce.

Article 28 of the Family Law addresses the division of property in the case of divorce stating "*Initial assets will remain the property of their owner. Acquired assets are to be shared in two between the married couple except if the husband or wife is responsible for the break of matrimonial relations or towards the acquired assets. The wrongdoer will only receive one third of the acquired assets, and in case children still under age are staying with one parent, the latter may receive a bigger share according to the court's decision*".

Part three of the Family Law addresses rights and obligations of parents and children. Article 29 states "*Parental and filial obligations arise on the basis of the birth of the children as provided by the law. Children may be born to legally married parents or to unmarried couples but whose father volunteers to recognize his parenthood or whose parenthood is recognized by court decision.*" Article 30 addresses affiliation of the child and states that in the case the child is born to unmarried parents the child, after reaching the maturity, can ask for affiliation, the parents can ask for affiliation together and at the father's rejection of affiliation, the child's mother, caretaker or guardian also have the right to request the court to consider the affiliation. Article 8 states that, in the case of affiliation, the father has the duty to provide for food and care for the child until maturity.

Article 33 of the Family Law addresses parental obligations to protect children's rights and interests and states "*Parents have equal rights and obligations to protect their children's rights and interests...*" and Article 35 further enforces parent's equal obligations towards their children "*Parents have obligation to care for their children still under age or having reached maturity but unable to provide for themselves. Obligations to care for children must be furthered notwithstanding the fact whether the parents are still married or divorced...*"

There are no articles in the Family Law that would specifically address spouses equal right to family planning. However, in May 1999, the State Planning Committee elaborated a final draft of the National Population and Development Policy and submitted it to the Cabinet of Ministers for approval. This policy directly responds to the resolution of the Lao People's Revolutionary Party Sixth Congress in 1996, which called for policy to align growth to the level of national economic development. The policy also accords with the goals and objectives of the Programme of Action adopted at the International Conference on Population and Development in Cairo in 1994 signed by the Lao PDR. The policy draws on articles 24 and 27 of the Lao PDR Constitution (1991) that endorse gender equality in political, economic, cultural, social and family affairs and which state the women should receive equal treatment in terms of legal rights, economic and social opportunities. This draft policy enables all the people of the Lao PDR to determine the number and spacing of their children based on a couple's economic and social conditions and thus contributes to an improved quality of life that ensures that the overall population growth remains compatible with the level of socio-economic development.

Article 38 of the Family Law sets conditions for adoption stating that adoptive parents must be mature individuals, whose parental rights have not been withdrawn. As far as the custody of the children is concerned, Article 44 of the Family Law grants equal rights for both men and women to be appointed as a guardian to a child.

Article 14 of the Family Law addresses the activity rights of the married couple stating "*Husband and wife have the right to lead political, economic, cultural and social activities.*" Article 15 of the Family Law states that "*Husband and wife have the right to choose either the husband's or the wife's family name or may keep their respective initial family names.*" Article 31 further states that "*Parents have the right to choose their children's name according to their like and on mutual agreement...Children's family name will be the same as their parent's if the latter bear the same family name...If the parents have different family names, the children may use either their father's or mother's name with their parents approval. In case agreement may not be reached, the children will use a family name decided by the court.*"

The same rights for both spouses regarding property are granted by the 1991 Constitution in the Article 15 and embodied in the 1990 Property Law in the Articles 20 and especially in the Article 26 which states "*Conjugal property are the assets gained by the married couple during their married life, except for the personal items of low value. Husband and wife have equal rights over conjugal property notwithstanding who actually acquired the asset. Assets belonging to the husband or wife prior to their marriage or received through inheritance or granted specifically to the husband or the wife during their married life will not be considered as conjugal property*". Article 27 of the Family Law (1990) states "*Husband and wife have equal rights over acquired assets independently of the fact whether the estate was acquired by the husband or by the wife. Husband and wife have the right to use the acquired assets in accordance with the requirements of the family. Prior mutual consent must be obtained on the right of usufruct and of decision over acquired assets.*"

The Article 6 in the Inheritance law (1990) does not make any difference between the right of a girl or a boy child to inherit but specifically stipulates that "*relative of horizontal lineage: older and younger brothers, sisters or, paternal uncles and aunts, maternal uncles and aunts or nephews and nieces*" have a right to inherit if the owner of the heritage has no child or a spouse. Article 43 of the same law gives equal rights to both men and women to execute the will.

Article 9 of the Family Law sets the minimum age for marriage "*Men and women have the right to marry from eighteen years old. In special and necessary cases, this limit may be lowered down to no less than fifteen years old. Marriage must be based on mutual consent and will from both sides without coercion from any side or individual.*" Article 11 addresses marriage consideration and registration stating "*A couple having the intention to marry must submit a written request to the registrar office...If it is seen that the couple meets all required conditions, the registrar officer will invite the concerned person to register their act of marriage in the presence of three witnesses.*"

Women's equality with men in marriage in practice

Different ethnic groups in the Lao PDR have different family structures and different traditions in terms of marriage and family life. In the main Lao group the mode of living is principally matrilocal and the youngest daughter normally inherits the land and the couple traditionally stays in the wife's parents household. It is often the youngest daughter who is expected to take care of the parents in their old age. Sons marry outside the family and live with their in-laws. The bride price practice is common within this group since according to recent LWU survey (1999) in 87 percent of marriages husband paid a bride price. The women in the main Lao group have a strong role in economic activities inside the family.

In the Lao Theung group, one can find mostly bilineal and to some extent patrilineal family structures. Amongst the Lao Theung group the bride price was received in 77 percent of marriages according to the recent LWU (1999) survey. In this group, the family authority lies almost solely with the husband.

In the Hmong group the typical patrilineal structure can be found. The male children inherit the land and women go to live with their husbands. According to the Lao Women's Union survey (1999) amongst the Hmong group the bride price was received in 67 percent of the marriages. The women's status is more subordinate than in the main Lao and Lao Theung groups as the wives do not have the support of their own kin groups.

According to the 1995 Census, a large portion of the Lao population is married but there are clear differences between different age groups and between men and women regarding the marital status. While only 6 percent of the men were married in the age group 15-19 years of age, more than 18 percent of the women were married. Likewise in the next two age groups, 20-24 and 25-29, women were married to a larger extent than the corresponding male groups. The Census does not reveal whether women and men often get married before reaching the age of 18 years. However, a study conducted by UNICEF (1994) in Huaphan province claims that in

all ethnic groups people are reported of getting married earlier than in previous generations. The average age for the women to marry was 17.6 years and for the men the average age was 18.8 years. It was reported that, out of all the ethnic groups, the Hmong tended to get married the youngest. This study would suggest that marrying under the age of 18 is still customary in the rural areas of the country.